ART IN CHICAGO: Max Kozloff

THE NATION

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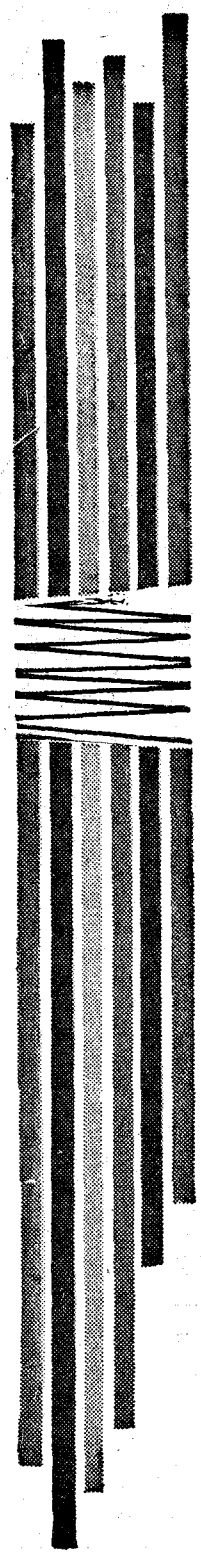
April 6, 1964 . . 35c



De Gaulle's Bold Gambits

Alexander Werth

THE DEATH PENALTY and FAIR TRIAL

Walter E. Oberer

Mired Troops and Frozen Policy

KOREAN PARALYSIS

Senator Frank Church

Sterilization: Facts and Arguments

Alan F. Guttmacher

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Johnson City, Tennessee

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LETTERS

Law and direct action

Chicago, Ill.

Dear Sirs: Carl Cohen's analysis of civil disobedience in your issue of March 16th is the finest and most objective commentary I have read on this complex question. . . . My only comment on this superlative essay is that the author might have probed more widely into the area of whether laws which are not of one's making are binding on the individual. . . . Many Southern and national civil rights leaders have justified direct action on grounds that Negroes have been excluded from the law-making and electoral processes. . . .

Moreover, I do not believe that one would have to demonstrate that protestants have been totally excluded from the democratic process in order to justify direct action. Objective reports from the state of Mississippi, for instance, rather tend to bear out the belief that it is governed in a fashion not much removed from totalitarianism. . . . Negroes risk death and destruction of their property whenever they attempt to register and the entire instrumentality of the state is set against their emancipation. . . . Must a group be totally denied all rights in order for it to oppose laws promulgated for the express purpose of perpetuating their condition of servitude?

Sherwood Ross
Public Relations Director
Chicago Urban League

Cost of snobbery

New York City

Dear Sirs: Your editorial (Mar. 9) commenting on the move of Trenton Mayor Arthur J. Holland states, "There is nothing to prevent enlightened (and astute) whites from showing they believe in integration by joining their colored friends, and simultaneously solving the housing problem."

You're right of course, providing they don't have to get financing from the banks that blacklist this type of property. . . .

There is a suggestion that the Hollands got a better deal in their 100-year-old house than they would have gotten in a lily-white suburb, with the conclusion that "snobbery comes high." It may in the long run, but on a monthly basis it might be a lot cheaper.

Typically, if banks will give financing at all on an old house, they expect buyers to put down 25 per cent or more at the time of purchase and pay the balance in ten years, while a new FHA house calls for 10 per cent down with twenty-five years for amortization. So the house-hunting family looking at a used house and a new house, both in the $17,000 class, finds it necessary to put down at least $4,250 with monthly payments of $141.65 for the used house. For the new house it only has to scrape up $1,700 for down payment and handle a $96.39 monthly payment.

Robert B. Dennis

Tithe for the U.N.

Mattawan, Mich.

Dear Sirs: Reading your editorial, "The Lesson of Cyprus" (Mar. 23) it occurred to me that each member nation should contribute as a fixed obligation, let us say one per cent of its *annual defense budget* to a special United Nations fund for the maintenance of world peace. If this were done, the UN would not be in such a precarious condition as at present.

Anton Garden

Broader focus

Mansfield, Conn.

Dear Sirs: I wish to congratulate . . . you on the expanding focus of your Books and the Arts section.

John Simon's review of *The Deputy* (Mar. 16) was the most perceptive of any I've read, and James Scully's *The Audience Swam for Their Lives* (Mar. 9) provided an intelligent comment which no other magazine even thought to offer.

Phyllis Stein

No contact

Wheat Ridge, Colo.

Dear Sirs: A salute to Mr. Hentoff's essay-review of Norman Podhoretz's *Doings and Undoings* [*The Nation*, Mar. 23]. I found it very much to the point—the inability of Mr. Podhoretz (and *Commentary*) and others to recognize that reality impinges on them.

Elayne Goldstein

Circus for poverty

New York City

Dear Sirs: *The Nation* is dead right when it states (Mar. 30) that this first attack has almost nothing to do with the present dynamics of poverty, its causes and the cure. President Johnson's program will not eradicate Poverty (as it is capitalized in Washington) any more than did the palliatives of the New Deal which Johnson's remedies so closely resemble. This kind of deprivation is built into the capitalist free-enterprise system as logically and as firmly as are the riches of Rockefeller and Getty and Hunt. . . . But the elections are a frightening seven months away. Sargent Shriver mounts his charger and dashes up Capitol Hill. There, some of his anesthetics may squeak through, in a fast deal with the Southern Civil Rights filibusterers, in time to be administered to the electorate which has never failed, since the days of Diocletian, to respond at least temporarily, to the nostrum of bread and circuses.

Taylor Adams

THE NATION

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How About Some Action, Now?

There is every reason to believe that Adlai Stevenson's Dag Hammarskjöld Memorial Lecture at Princeton represents Administration policy, at least verbally. Ambassador Stevenson suggested that, except perhaps in relation to Communist China, the policy of "containment" is outdated. There are no longer two colossi confronting each other with their thermonuclear weapons at the ready; there are numerous nationalisms contending for advantage. The big and the little alike fear the universal ruin that would follow a third world war; and they are all aware that such a catastrophe could be the sequel of any of the brushfire wars that break out from time to time. Hence, according to the Stevenson thesis, we have entered an era of violence without war. Disputes occur and fighting follows, but it is not permitted to spread. The peacemaking machinery is frail and primitive, like the early steam engine, but it has worked on no less than twenty occasions in the past few decades, and, however precariously, it seems to be working in Cyprus now.

There is corroboration for this view from several quarters. The day after Mr. Stevenson spoke, President Johnson argued that general war has become "impossible" and that nations must develop techniques of "reasoned agreement" instead of "ready aggression." Still more recently, Senator Fulbright has assailed our ludicrous standpatism on Panama, Cuba and China and urged us to think "unthinkable thoughts." (Incidentally, if proof were needed of the soundness of the Senator's thesis, it was immediately supplied by his colleagues. Republicans and Democrats alike were quick to disassociate themselves from Fulbright's "heresies"; a few praised the speech as "courageous," but none stepped forward to voice concurrence.) And in this issue of *The Nation*, Senator Frank Church argues for the withdrawal of some of our forces from South Korea, one of the states most heavily militarized under American auspices. Alexander Werth, also, writing before Ambassador Stevenson and Senator Fulbright spoke, ties in President de Gaulle's "flexible diplomacy" with the shifts taking place on the international stage.

Diplomacy, however, always lags behind change, and while some lag is inevitable, the greater it is the greater the danger of a debacle. President Johnson inveighs against war, but in the same speech he repeats the same old hogwash about standing ready to keep the Vietnamese from being engulfed by communism. He has been President for four months, and was Vice President for two years before that, and he still has not learned, or in any case fears to say, that in South Vietnam we are dealing with a civil war in which we are financing, arming and fighting on the wrong side as far as the Vietnamese peasants themselves are concerned.

What would happen if the diplomats decided to come down to earth? The United States would enter on negotiations with the Chinese Reds and North Vietnam with a view to ending hostilities in Southeast Asia, ending the danger of the war's escalating in that area, and giving the Asians peace, for a change. For the sake of peace and a seat in the United Nations, the Chinese would dampen their ardor for world revolution and raise the standard of living within their own borders. Mao can be confident that the hundreds of millions of ordinary Chinese, each with only one life to live, would appreciate full bellies, decent sanitation, and a prolonged life expectancy. And the Russians? Their greatest contribution would be to pay up their arrears in the United Nations, a peace-keeping body as precious to them as it is to the United States and all the other powers, large and small. They could do this with as ill a grace as they pleased—as long as they did it.

The cliché is applicable—deeds speak louder than words. Since of all the world's leaders President Johnson has the greatest power, he should take the initiative. And the place to suit the action to the word is in Vietnam.

The Rediscovery of Prejudice

As in any other severe and protracted moral struggle, there are ups and downs in the battle against segregation. Just now some of the integration forces — not those up front but the supporting echelons — are showing signs of combat fatigue. Senators Keating and Javits are distressed by a flood of mail which at the moment is turning against civil rights. In San Francisco, the *Chronicle* has been running a continuous poll on the Rumford Fair Housing Act, signed into law last July and at that time approved by 63 per cent of the poll participants; now it is approved by only 46 per cent, with 7 per cent still undecided. In Seattle and Spokane, fair-housing ordinances have been voted down. In Appleton, Wis., home of the late Senator Joe McCarthy, Governor George Wallace of Alabama gets a standing ovation from the local Rotarians, and segregationists forecast as many as 100,000 votes for him in the Wisconsin primary. These and other citations make painful reading.

But the pain is less when one probes beneath the surface of the anti-civil rights cause as a whole. The truckloads of mail directed at Congressmen are largely inspired by the Coordinating Committee for Fundamental American Freedoms, Inc., which is essentially a front for the Mississippi Sovereignty Commission, a state-supported segregationist agency that has been operating since 1956. The MSC employs the ugly tactic of appealing to racism, latent and overt, in the North, Midwest and West. Operating out of a suite in Washington's Carroll Arms Hotel, and well heeled with

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$260,000 in state and private funds forwarded from Mississippi, the MSC-CCFAF was bound to stir up a furor. Nor are the mails its only weapon. In the *Washington Post* of March 9, and presumably elsewhere, it took a full-page advertisement which captions the civil rights bill now before the Senate as a "$100 Billion Blackjack."

As for California, it is easier to pass a fair-housing ordinance than to make the adjustments involved in actually attacking discrimination in housing. People vote virtuously and some of them repent when they or their friends are personally inconvenienced by the adjustments implicit in long-overdue social justice. The pendulum swings. The *Chronicle* says that 12 per cent of the voters indicated that although they had opposed the Rumford Act, they now favor it "because of their active resentment toward arguments advanced by the advocates of repeal."

The plain fact is that a certain percentage of Americans — North, South, East, West; urban and rural; Catholic, Protestant, Jewish and atheist — are racially biased, or so preoccupied with their material interests that they behave like racists. They are that way today, they were yesterday, they will be tomorrow. It will take years, not only of legislation but of practice in interracialism, to cure them. In the last ten or fifteen years it has become bad form to voice bias too blatantly, so optimists thought it had disappeared. Of course it hadn't.

These are the bumps in the road, but nothing can stop the civil rights movement. The basic reason is very simple. Most Americans, including many of the biased, know on the better side of their natures what is right, and not only right, but socially, legally and morally imperative. While the MSC-CCFAF is drowning Congressmen in mail, the Maryland general assembly passed the first state-wide Public Accommodations Law ever enacted in a border state. Governor J. Millard Tawes was so pleased and excited that as well-wishers crowded around him, he struck a match and held it before his face—but he had no cigar in his mouth! Mr. Tawes is an Eastern shore Democrat. His conversion is symbolic.

Those Air Lifts

A while ago, with fanfare exceeding that of a heavyweight championship bout, the U.S. Army airlifted thousands of soldiers to Europe in a demonstration of deathless loyalty to our West German ally. It was also a full-dress parade of the U.S. infantry and supporting branches at the expense of the Air Force, which had the humble task of providing the transportation. From a military point of view, it was nonsense. The troops got over there all right and, weather permitting, they could go over again—after months of preparation all the way from the Army Chief of Staff down to the corporals. Since the strategy of war has become global, the Army must show that it can think and act globally too, and not let the Air Force walk off with all the publicity.

Now the Army is putting on a repeat performance, this time for the ostensible benefit of our beloved ally, Iran. It will prove, according to the Associated Press, "American ability to reinforce an ally living in the Soviet Union's shadow." (Also, it might be added, to reinforce the particular regime in favor with Washington.) There will be about 6,800 men in the task force, 124 aircraft, four small U.S. Navy ships and even a Marine rifle company. So every service gets a role, although that of the Navy and Marines is hardly greater than quelling a riot in a tavern frequented by service men. The star performers are the 2,300-man brigade of paratroopers from the 101st Airborne Division, which will fly 6,000 miles, with heavy equipment, to the Dezful area of Iran. There they will be joined by local talent and the whole shebang will be under the command of an Iranian general. Having flung themselves symbolically against the Soviet foe, the Yankees will then go home.

Much ado has been made about turning out unnecessary lights in the White House; the saving, engineered by President Johnson personally, is said to be $3,000 a month. (Sounds high.) There is also considerable popular feeling against Congressional junkets which, even on the most lavish scale, cannot amount to more than some hundreds of thousands of dollars annually. It would be interesting to have an honest accounting of what it costs to stage one of these army-engineered air lifts. It could make quite a dent in the poverty problem.

The Bloomington Blooper

A year or so ago twenty romantic young men decided to unfurl the rather faded banner of Leon Trotsky's Socialist Workers Party at Indiana University (campus population: 20,000). A less likely place to ignite the embers of revolutionary fervor in Affluent America could scarcely be imagined than this rather bovine community where the Bible Belt meets the Corn Belt. But a politically ambitious county prosecutor was quick to sense the threat, not to the peace and security of these United States, but to the good order of the state of Indiana. So an indictment was returned against the ringleaders under a 1951 act of the Indiana legislature, the avowed aim of which was "to exterminate communism and Communists and any or all teachings of the same." Last week, in the cruel afterlight of reason, a local judge ruled the state law unconstitutional in a twelve-line decision. For its generosity in providing legal counsel — Mr. Leonard Boudin of the New York Bar — without cost, the Emergency Civil Liberties Committee is entitled to a round of thanks and applause. In resisting the motion to dismiss, the county prosecutor complained bitterly that the State had "lost the battle for public opinion because the defendants — and those who defended them — had "distorted" the issues by calling the prosecution a "witch hunt." In terms of literal accuracy, the prosecutor had a point; the indictments in Bloomington were not so much a "witch hunt" as a pure blooper — a piece of unmitigated stupidity. All the

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same a touch of rhetorical exaggeration has its uses now and then; in a period of vast complacency it is not easy to focus attention on an act of incipient injustice. When Dr. Norwood Russell Hanson, formerly chairman of the Department of the History and Logic of Science at Bloomington, prepared an article for *The Nation* on the indictments, we carried it under the caption "Hoosier Witch Hunt" (May 23, 1963). Some of Dr. Hanson's faculty colleagues reacted violently to his use of the phrase "witch hunt," but activity in behalf of the defendants was promptly stepped up. If the indictments had been sustained — if the general atmosphere had not continued to improve — what was admittedly the Bloomington blooper might easily have been converted into a nasty local witch hunt. Dr. Hanson, who has since moved on to Yale, is also entitled to a round of applause and thanks for his forthright denunciation of this grotesque misadventure in demagogy before it had grown into something still more ugly.

More of the Same

Medical authorities have recently become aware that many injuries to children are the result, not of accident, but of assault. Usually these crimes take the form of savage beatings. According to *The New York Times*, among the instruments used are bare fists, hairbrushes, straps, electric cords, television aerials, ropes, rubber hose, fan belts, sticks, wooden spoons, pool cues, bottles, broom handles, baseball bats, chair legs and, in one bizarre case, a sculling oar. Burning and scalding have also been resorted to by loving parents.

Advances in X-ray interpretation, and experience on the part of physicians in emergency wards, have resulted in a sharp increase in the detection of what pediatricians call "the battered child syndrome." This is all to the good, but now it is proposed that the New York legislature enact a law aimed at ending abuse of children. The law will make it mandatory for the authorities to report suspected cases of brutality to public welfare agencies, the appropriate agency is to investigate, a central register of suspected cases is to be kept, and the hospital or physician making the report is to be granted immunity from civil or criminal suits.

There may be no objection to some of these provisions, but does anyone really believe that assaults on children will be curbed thereby? It is simply another case of verbal attack on a social problem, with only a cursory attempt to deal with the problem itself. "These parents," says Dr. Vincent J. Fontana, chief of pediatrics at St. Vincent's Hospital in New York City, "cannot cope with the increased stresses and strains of everyday living. In a lot of these cases, if they are reached early enough, something can be done in the nature of psychiatric treatment and protective custody." Dr. Fontana may have added — although he is not so quoted — that practically all brutality involving children occurs in slums, rural or urban, and mainly urban. The stresses and strains are not those of everyday living in pleasant neighborhoods, but those which are intolerable for adults and children alike. Some of the adults go berserk and beat, burn or murder their children. It is a disease of the society as well as of the parents, and it will become rare only when the causes are removed. Till then, parents so abnormal are unlikely to be deterred by legislation.

De Gaulle's Bold Gambits . . . . Alexander Werth

Paris

De Gaulle certainly has a way of getting both himself and France talked about. The papers here have been full of press quotes about his Mexican visit—quotes from China, Japan, India, England, Latin America and, above all, the United States. The London *Times* was exceedingly rude to Harry Truman because he threatened to cut de Gaulle's nose off for "sticking it into our affairs" — "our affairs," in this context, extending to Mexico. When the visit was at last over, the Washington correspondent of *Le Monde* described in a beautifully ironical piece the "tremendous relief" felt in the United States because both President Lopez Mateos and General de Gaulle showed great "moderation" in the pleasantries they exchanged. He added, however, that Mexico was rather a special sort of country, very dependent on her trade with the United States and on American tourists, and that Washington continued to "dread" de Gaulle's fall trip to other Latin American countries, where his presence might well give rise to anti-American demonstrations.

The French reporting of de Gaulle's visit to Mexico was also not entirely free of irony. It was noted that his revival, in a somewhat new form, of the old vision of a "Latin family" was not as warmly received by the Mexicans as he had hoped. At the same time, the great enthusiasm that he aroused at University City was more than he could expect from French students who, as recent demonstrations have shown, are not at all satisfied with the impoverishment in which French higher education is being maintained. Some students say that the money for atom bombs would be better spent on university buildings; others that education in France should be given priority over aid to Algeria and other underdeveloped countries.

And yet even the left-wing press here has been commenting not unfavorably on some aspects of de Gaulle's Mexican visit. Thus *L'Express*:

> *It seems paradoxical, and yet it's a fact, that this disciple of Charles Maurras should have annexed the revolutionary traditions of 1789, the French mission of providing fuel to revolutionary and liberation movements, and for the struggle for*

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human rights. . . . It almost looks as though, in the eyes of the people of Latin America, de Gaulle was the incarnation of the traditional ideas of the French Left.

"Oxygen from Europe," *L'Express* said, "is what Latin America is looking for; not, of course, to shake off the financial support of the United States (there can be no question of that), but to gain a certain freedom of movement, freedom of maneuver." The paper continued:

Even after three years, the Alliance for Progress ($20 billion in ten years) has proved a failure. The big corporations, tied up with the local feudal lords and dictators, have laid down the law. President Johnson is a free-enterprise man, whereas only planning, nationalization and aid to states, rather than to private interests, can get Latin America out of her underdeveloped state. And of all European statesmen, de Gaulle seems to represent this tendency better than any other.

And, from across the Channel, the London *Daily Herald* echoed these observations, saying that de Gaulle's timing of the Mexican visit was very cunning; that all Latin America was turbulent and impatient; that its long association with American businessmen had developed into a sort of claustrophobia, and that, while many were hesitant about Castroism, they were glad to see whether de Gaulle could offer an alternative.

Whether or not the General is wholly sincere, he has built himself up as a champion of "national independence" and has been praised for it by men as different as Castro, Ben Bella and Nehru. Thus, much to the Mexicans' satisfaction, he has committed France to supporting a rise in the price of raw materials produced in those countries at the UN World Trade Conference now meeting in Geneva. France's "mission" in this "third world" (the underdeveloped countries, as they used to be called) has made such a strong impression, notably in Africa, that, as *Le Monde* remarked a little caustically, "even the exploits of French paratroopers who 'restored order' in Gabon recently passed almost unobserved."

De Gaulle's policy is not without contradictions. He has been financing all sorts of rather disreputable feudal lords and newly baked "presidents" in Africa and, at the same time, supporting an ostensibly ultra-Socialist regime in Algeria, with whose President Ben Bella — not so long ago a prisoner of the French — he had an extended meeting just before leaving for Mexico. This patronage of Socialist Algeria is, as it were, the cornerstone of his whole "third world" policy and is in flat contradiction to American usage in these matters.

France is by no means unanimously behind de Gaulle's foreign experiments. The old conservative elements — those who only recently supported "French Algeria" — are becoming more and more vociferous in their criticism of his African "squandermania," especially in Algeria, where conditions are reported to have become more and more chaotic as tens of thousands of Algerians, including much of the remaining skilled labor, emigrate to France. The influential right-wing papers, *L'Aurore* and *Paris Match*, have been fuming because the French taxpayer must shoulder no longer two-thirds but the whole of the Algerian budget — since the failure of Ben Bella's "socialism" would also be a terrible failure for the French Government. This kind of demagogy is not entirely wasted on a great variety of economically discontented Frenchmen. One of de Gaulle's ministers the other day tried to appease the government's critics by saying that, after all, nearly half the money paid to the Black African countries and Madagascar went for the salaries and expenses of the 13,000 French technicians and teachers there!

Another prevalent criticism is that France, a small country of less than 50 million people, is already spending far too much on the underdeveloped countries. At that point, the question that inevitably arises is what exactly does de Gaulle have in mind when he talks of extending aid to Latin America? It is, indeed, a little ambiguous: on the one hand, the talk about a "Latin family" or "Latin world" spreading across the Atlantic; on the other hand, the suggestion of closer bonds between Europe and Latin America. It is now known that de Gaulle has discussed a "European" expansion in Latin America with Dr. Erhard; but since a large part of Europe is not Latin, two parallel, if not contradictory, concepts seem to be in the offing. And it is not quite clear how much support de Gaulle's Latin American policy enjoys in the rest of Europe.

What is certain is that, in de Gaulle's mind, the world has changed in a quite spectacular way during the last fifteen years. The world of the Big Two is a thing of the past. The blocs dominated by Russia and the United States are both in process of disintegration. Not only is there a rift between Russia and China (a rift which de Gaulle perhaps overrates), but Eastern Europe is turning into a loose-knit assembly of separate states — the Poles, the Hungarians and even the Rumanians becoming more and more independent of Moscow. Similarly, in de Gaulle's view, the "Yalta era" and even the Atlantic Pact (as it looked in 1950) belong to the past, since the European economy is now fully restored. So, as one Gaullist paper recently said, there are now five "worlds": the United States, the Soviet Bloc, China, the "underdeveloped countries" and, finally, Europe. The Atlantic Alliance must continue, at least for the present, if only because it represents a "defensive alliance against the Russian menace"; and, as M. Couve de Murville, de Gaulle's foreign minister, recently remarked, there is little hope that the problem of Germany will be settled in the immediate future.

Until further notice, therefore, France's and America's military interests in Europe ("defense against Russia") broadly coincide—except for the development of France's own nuclear deterrent, which is planned, no doubt, as the base for a still very problematical Europe independent of the United States.

Earlier in *The Nation* I dealt with the reasons why France recognized Communist China. Involved in this decision was certainly an attempt to play on the differences between Russia and China; there was also a desire to make a good impression in the countries of Africa, Asia and Latin America, all having certain psychological affinities with China. And perhaps de Gaulle also wanted to give the Chinese the feeling that all the boats are not burned between them and the West, and that therefore they must not press on with their ideas about the "inevitability" of nuclear war. More obvious still is de Gaulle's desire to neutralize Southeast Asia. After their own bit-

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ter experiences in Indo-China, de Gaulle and most of his countrymen prophesy nothing good from America's war in Vietnam: either it will be an endless small war which the Americans cannot win, or it will develop into a major war which might end in general disaster. De Gaulle's ambiguous remarks about the "neutrality" of Vietnam at his press conference are no longer quite so ambiguous since Couve de Murville's answer to *U.S. News & World Report*, which implied that the neutrality of South Vietnam alone was not to be ruled out as a possible solution. And Couve de Murville, like de Gaulle, has emphasized that there can be no solution in Vietnam without China's participation, just as China took part in the settlements ending the Indo-Chinese and Korean wars.

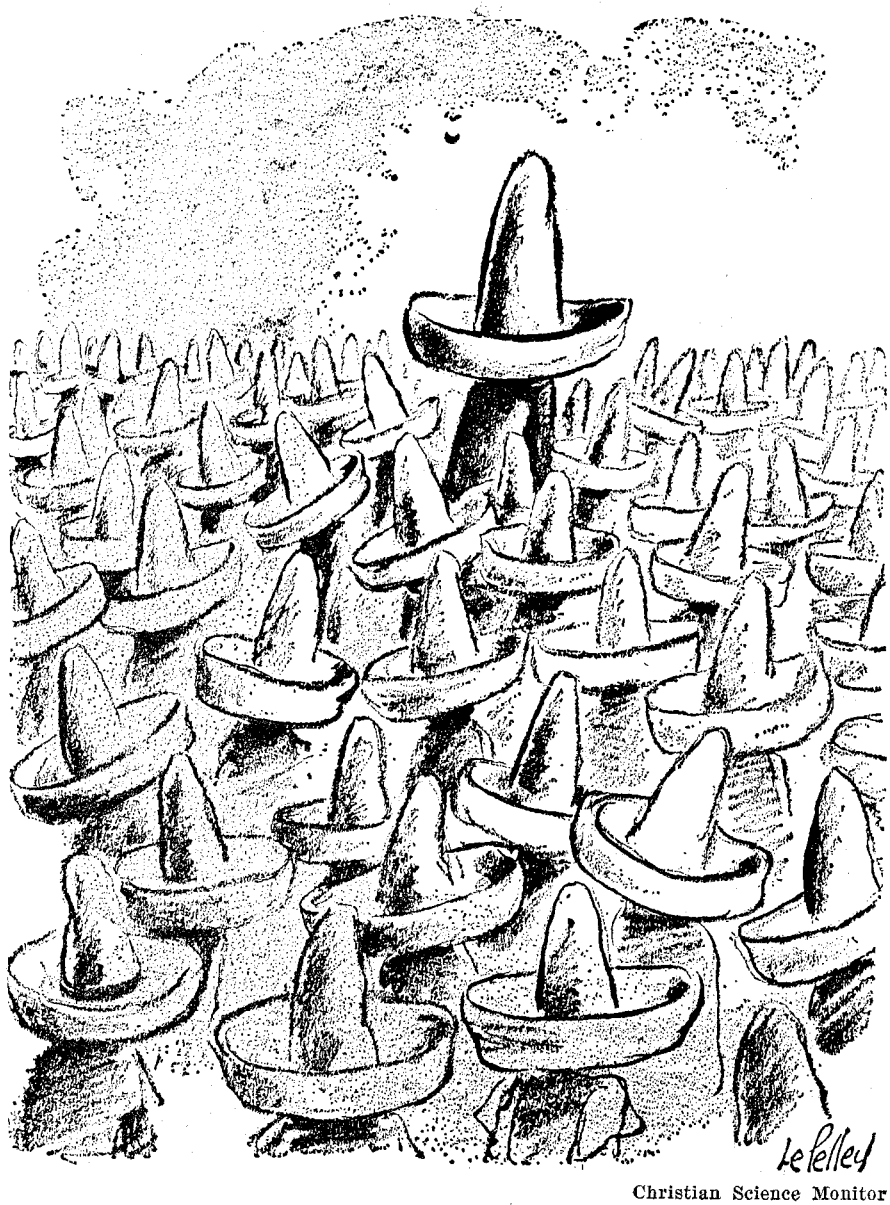
On the other hand, Couve de Murville made it fairly clear that he did not, for the present, anticipate any *rapprochement* with the Soviet bloc, and, more particularly, with Moscow. For one thing, he felt that Germany was still far from ripe for solution. In the present French view, the creation of a "neutral" or "atom-free" zone in Central Europe — comprising, say, Germany, Poland and Czechoslovakia — is "unrealistic." The idea seems to appeal to Harold Wilson and other British Labour leaders, but in this respect de Gaulle is "more American than the Americans," as one French paper put it.

At the same time, a *rapprochement* with the Soviet Union is distinctly possible in other fields. I spoke not long ago with one of the closest associates of M. Giscard d'Estaing, the French Minister of Finance, who has recently talked in Moscow not only with Khrushchev but with others directly concerned with economic matters and foreign trade. My informant confirmed what I wrote here some time ago — that the Russians are determined to develop their chemical industry (above all, their production of fertilizers and of artificial textiles) on an altogether spectacular scale, and intend to place orders abroad, on a long-term credit basis and over a period of ten years, to the tune of something like $10 billion. He also said that the bulk of these orders (if the credits were granted) would go first to Britain and France and second to Italy and Western Germany.

The time may not yet be ripe for a general settlement in Europe, but de Gaulle appears to think that with the "Eastern Bloc" becoming more and more loose-knit the Russians will, perhaps before very long, be willing to consider major concessions which would transform the uneasy *status quo*, with its Berlin Wall and the rest, into something more "rational." Maybe; but this, as the General himself admits, is the hardest of all the nuts to crack. Whether de Gaulle will visit Moscow himself is another matter; at the moment, there is no suggestion that he will.

I think it will be seen from the above that de Gaulle, aware of the rapid changes the world has undergone, is showing considerable cunning, psychological shrewdness and imagination in his foreign policy. He has taken full account of the decolonization of Africa (a process which he greatly helped); he responds to the ferment in Latin America, even at the risk of treading on Washington's toes; he thinks that recognition of Communist China is in the interests of peace, not only in Southeast Asia but in the world generally. He favors an economic *rapprochement* with Russia as a possible (though not certain) prelude to a political settlement in Europe. None of this suggests that de Gaulle is crazy, or motivated by "anti-Yalta" kinks.

But there is another side to this policy. France alone can do little in Latin America; it must have the support of the rest of Western Europe. Algeria is terribly expensive,



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and continues to be an economic mess. The nuclear deterrent is a highly dubious — and costly — venture. Nevertheless, many of de Gaulle's moves, with their imaginative and long-term objectives, point to new ways and new methods in a changing world. His action on China strikes nearly everybody in Europe as one of his most promising and intelligent strokes.

There still remains one basic weakness in the de Gaulle policy — it is the work of one man, and thus is very fragile. Even now his "squandermania" for the benefit of Algeria and other underdeveloped countries produces much angry criticism from the right-wing diehards. France also has her little Nixons and little Goldwaters. Standing beside de Gaulle they took very small, for all the noise they make, but de Gaulle's successor, whoever he may be, is unlikely to have the advantage of the General's physical and psychological stature.

The Death Penalty and Fair Trial . . Walter E. Oberer

A significant aspect of the trial of Jack Ruby in Dallas for the alleged murder of Lee Harvey Oswald has thus far escaped the web of words being spun about the case. It has to do with the difficulty of getting a jury, but not for the much-publicized reason of prejudgment of the case. Of the 162 prospective jurors examined before a jury of twelve could be obtained, more were rejected for scruples against capital punishment than for fixed opinions as to guilt. The subject of "death-qualification" and fair trial has been more fully treated by the author, and documented, in an article published in the Texas Law Review, *May, 1961, under the title, "Does Disqualification of Jurors for Scruples Against Capital Punishment Constitute Denial of Fair Trial on Issue of Guilt?"* THE EDITORS.

The right of the accused in a criminal case to be tried by a jury of his peers is a cornerstone of American justice. One might therefore expect this principle to be most honored in the most serious of criminal cases —those in which the defendant's life is in jeopardy. Ironically, certain mechanics of these "capital" trials, as presently conducted, operate to defeat this principle. The situation has been strangely neglected to date by lawyers, judges and libertarians.

It becomes increasingly difficult to obtain a jury in capital cases, the reason being that such juries must be "death-qualified." This means that, to sit on such a jury, a person must first declare under oath that he is willing to return a verdict of death if the evidence seems to him to warrant it. If he has "conscientious scruples" against death as a punishment for a crime—that is, if he himself would be unwilling to vote for such a verdict—he is subject to "challenge for cause" by the prosecution and is excused from service by the trial judge. Indeed, as frequently administered, mere *hesitance* to vote for a death verdict is sufficient to disqualify a prospective juror.

What this means in practice is that a multitude of prospective jurors must be examined by the prosecutor and defense counsel before a jury of twelve can be obtained. Recently, I observed part of the examination of jurors in a rape case in Texas, where rape is a capital offense. Of the nine persons examined while I was present, six were challenged and excused for cause by reason of death scruples. In another Texas case of which I have personal knowledge, a murder case tried in 1961, eighty-eight prospective jurors were examined before a jury of twelve was selected. Forty-two of these were challenged for cause by the prosecution and excused from service by the trial judge because of scruples against capital punishment. Moreover, the prosecution exercised eleven *peremptory* challenges (differing from challenges for *cause* in that no reason need be given for their exercise) for the apparent purpose of eliminating other jurors who, while affording inadequate basis for a challenge for cause, none the less evinced a "weakness" on the death penalty.

The foregoing are not isolated examples, or peculiar to Texas. The condition is general. Nor are the Texas figures I have cited by any means high-water marks. In a New Jersey case in 1959, for example, more than 300 prospective jurors were reported to have been examined before a jury could be obtained. Public-opinion surveys conducted in recent years cast some light upon this problem. A Gallup poll in 1960 showed 51 per cent of the nation in favor of capital punishment. A Roper poll in 1958 showed 42 per cent in favor, 50 per cent opposed and 8 per cent undecided. What these polls do not reveal, however, is that a substantial percentage of those who express themselves as favoring capital punishment are speaking in the abstract; they want no part of such awesome responsibility themselves, and so would fall before the prosecution's challenge for cause.

A particularly pertinent and revealing commentary is made by Lindley R. McClelland, a member of the Pennsylvania bar, in the March, 1959, issue of the *Pennsylvania Bar Association Quarterly*. He reports the case of one Miner Davis, tried for murder in Erie in 1958. The prosecuting attorney and defense counsel, one of whom was Mr. McClelland,

> *examined 142 prospective jurors . . . before we were able to accept 12 jurors and 2 alternate jurors. We exhausted the original panel of 100 jurors, and on three occasions, sent the sheriff out into the highways and byways of Erie for twenty more citizens. Why?*
>
> *The answer, in large part, is that the prospective jurors had conscientious scruples against bringing in a penalty of death.*
>
> *The presiding judge . . . was most liberal in permitting the Defense to attempt a rehabilitation of the jurors. [Defense counsel] continually asked them—"granted the death penalty is revolting in most cases, couldn't you bring in such a verdict against a professional killer, a hired assassin or the brutal murderer of a little child?" Many of the jurors said no. Others replied, in such extreme cases, they could return a death verdict. All of them fell before the Commonwealth's challenge for cause.*

The result has been that a jury in a capital case is no longer representative of the community from

Walter E. Oberer is a professor of law at the University of Texas.

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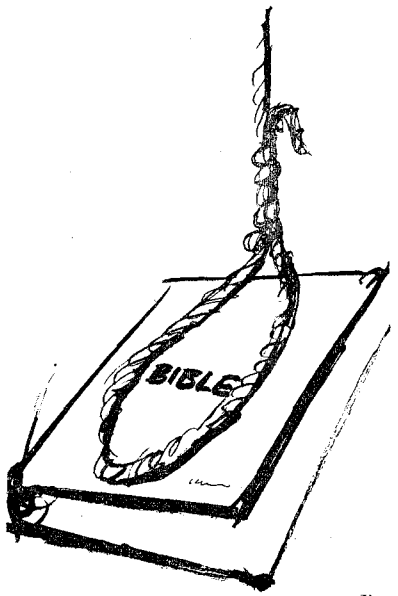
which it is drawn. While community attitudes toward the death penalty have changed, the attitude required by law of the capital jury remains frozen. Such a jury represents, today, a fragment of the community —those who not only *condone* capital punishment but *believe* in it to the extent of being willing personally to vote for the death sentence. Viewed in this light, it becomes almost irrelevant to argue, as some do, that many prospective jurors merely utilize the death-scruples device to avoid serving on a capital jury. To the extent that this is true, it may tend to aggravate rather than mitigate the minority character of the capital jury. It can be argued that those who survive the examination, and thus man the jury box, become almost *volunteers* — that they are not merely impartial on the death penalty, but affirmatively support it.

What is the bearing of the minority complexion of the capital jury on fair trial and due process of law? This question leads to three more specific questions: (1) Does such a jury constitute a "jury of one's peers?" (2) Can such a jury be expected to answer guilt-innocence questions (such as the question of whether the defendant was sane or insane at the time of his alleged offense) as favorably to the defendant as a jury not death-qualified? (3) Can such a jury, in the event it convicts, be expected to decide impartially on the nature of the punishment?

Inherent in this line of inquiry are questions of psychology: To what extent does a death-qualified jury take with it into the jury box a pattern of *other* attitudes not characteristic of the community at large? To what extent are such other attitudes, if they exist, prejudicial to the defendant? Searching the reports of court decisions in capital cases, one discovers that these questions have not only not been answered, they have never really been asked. I have turned, therefore, to the psychologists and others in the behavioral sciences, to whom I have access on a university campus, for their ideas. Through them I have been led to the vast literature on the "authoritarian personality," the suggestion being that a death-qualified jury would tend to be a jury of "authoritarians." The fount of the concept of "authoritarianism" is *The Authoritarian Personality*, by Adorno, Frenkel-Brunswik, Levinson and Sanford, published in 1950.



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While the book is essentially an inquiry into prejudice, it develops two pertinent propositions. The first is that a person's ideas and values may tend to run to a coherent, discernible pattern, however oblivious he may be of the pattern. The second is the "authoritarian-nonauthoritarian" antithesis. The *authoritarian* personality is seen as one involving, in the language of psychology, the following characteristics: moralistic condemnation; extrapunitiveness; distrust-suspicion (people threatening, victimization, survival of the fittest, world as a jungle); hierarchical conception of human relations; non-love-seeking; exploitive-manipulative opportunism.

In contrast, the characteristics of the *nonauthoritarian* personality are: permissiveness; impunitiveness or intrapunitiveness; trustingness (people essentially good until proved otherwise); equalitarianism-mutuality; love-seeking.

If the "hunch" of my psychologist friends is accurate—that a death-qualified jury would be culled of nonauthoritarians in favor of authoritarians—the due process and fair-trial implications are not only obvious, but gravely disturbing. I say "hunch" because at present there is nothing more definite to go on. Perhaps "nothing" is too strong a statement. There is some supporting evidence of an empirical nature in the practice of some prosecuting attorneys in the state of Texas. (I do not mean to single out Texas from the other death-penalty jurisdictions for any reason other than that I live there and, as a result, have better information as to its practices.)

The prosecution practice of which I speak is the death-qualification of juries in capital cases where there is no bona fide intention on the part of the prosecutor to seek the death penalty. The explanation of this practice, where it exists, is that through death-qualification the prosecution expects to get a "better" jury for its purpose—one that will be more responsive to the prosecution's case on the guilt-innocence issue and also on the punishment issue. Since, in Texas, the punishment on a conviction of murder may range from a two-year suspended sentence to death in the electric chair, the scope of discretion entrusted to the jury is unusually broad. I have heard defense counsel remark that a death-qualified jury "thinks it's doing you a favor with a life sentence."

How did we fall into the curious practice of death-qualifying jurors in capital cases and, having fallen into it, why have lawyers and judges not been more astute to examine the fair trial and due process implications? The reasons lie in the historical evolution of capital crimes and proceedings.

The earliest statutes assessing the death penalty left only one question to the jury—that of guilt or innocence. Upon conviction of the offense made capital, the penalty of death was mandatory. Since the sole function of the jury was to determine guilt or innocence, it was deemed necessary that the jurors be qualified on the death penalty. If they were not so qualified, it was feared they would not convict, thus subverting the administration of criminal justice. As a result, the capital jurisdictions either enacted statutes which disqualified jurors who could not for reasons of conscience impose the death penalty, or adopted the same rule through judicial decision. In this context, the logic of death-qualification was difficult to assail.

But the situation has changed drastically. A humanitarian trend away from capital punishment as a mandatory penalty for certain offenses began long ago. The statutes establishing capital crimes have been amended in almost every juris-

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diction in the United States so as to give juries the discretion to assess or withhold the death sanction. Under the current statutes *two* issues are presented to the jury for decision: (1) guilt or innocence, (2) degree of punishment. In this altered context, the logic of death-qualification leaves much to be desired.

No longer can it be said that without death-qualification a guilty man may go free. The most that can be said is that a guilty man may not receive the death penalty. But despite this fundamental change, jurors with scruples against capital punishment continue to be challenged for cause and excused from service on capital juries. To some extent, this continuance of the old practice in the changed environment has been the result of inertia. The old practice went unchallenged, out of habit, until it had deepened its roots in the new environment. When challenge was finally made, it was prejudiced by the delay. As stated by the Supreme Court of Oregon in *State* v. *Leland*, a 1951 decision (which is, incidentally, the most pertinent of any I have discovered to the questions raised herein):

> *During the thirty years that have elapsed since capital punishment was reinstated in Oregon [in non-mandatory form] it has been the uniform practice to apply the provision now challenged [death-qualification of the jury] in first degree murder cases. This practice is not conclusive against the defendant's contention; it does, however, fortify the conclusion that it is without merit.*

Where the challenge of the practice of death-qualification has been made, however belatedly, under the new, non-mandatory, two-issue capital statutes, a new theory for justifying the old practice has been developed. The theory is that the prosecution (the "People," the "State," the "United States") is entitled to an impartial jury on the issue of punishment. This new theory raises more questions than it answers. For example: Why, in the qualification of the jury, should the prosecution's interest as to the *punishment* issue be given precedence over the defendant's interest as to the more fundamental *guilt* issue? On what basis is it presumed that a death-qualified jury is as impartial on the *guilt* issue as one not so qualified? In a state such as Texas, where the jury has a broad discretion on the punishment issue itself (term of years, life sentence or death), on what basis is it presumed that a death-qualified jury is impartial from the defendant's standpoint *even on the punishment issue*? Why should the defendant in a capital case be denied the same kind of jury on the *guilt* issue as that accorded in non-capital cases? In summary, what are the constitutional implications of trial before a jury which, by reason of changing community values not yet reflected in the law, is drawn from a shrinking and therefore increasingly extremist fraction of the community?

None of these questions is adequately considered, much less answered, in any court report I have been able to find. It is, however, interesting to note that in England, where they have loved liberty and justice and also tried and executed criminals for ages longer than we, the practice of death-qualifying jurors is unknown.

Facts and Arguments

STERILIZATION . . . . . Alan F. Guttmacher

The word "sterilization" conjures up a wide variety of images, depending upon the individual's knowledge, background and experience: punishment for sex offenders, release from uncontrollable fecundity, an illegal act, population control in India, loss of libido, a new basis for sexual harmony in strained marriages, Nazi indignities on Jews—and a host more. "Sterilization" provokes this complex of ideas, first, because it denotes a procedure that is poorly understood by most people and, second, because the word itself sparks an emotional reaction. It has positive and negative poles, like an electric battery.

What is sterilization? It is the surgical procedure by which one renders a man permanently incapable of fathering a child or a woman from conceiving a baby, without at the same time affecting other sexual functions. In other words, it is permanent birth control, in contrast to contraception which is temporary birth control.

How is it achieved? In the male the operation is called vasectomy. The two testes lie within a skin pouch called the scrotum. A tube or conduit, the *vas deferens*, running from each testis to the urethra and in turn to the penis, conducts the sperm cells from their place of manufacture in the testis upward to be extruded externally with the seminal fluid which is formed by the combined secretions of several glands far along the route. If the integrity of the *vas deferens* is interrupted, sperm cells cannot pass upward to be added to the other elements of the seminal fluid at the time of ejaculation. Seminal fluid devoid of sperm cells is as incapable as water of causing pregnancy.

The surgery involved in male sterilization is relatively simple. Each *vas deferens*, a hollow tube perhaps an eighth of an inch in diameter, is exposed by a small incision on either side of the upper scrotum. Two linen sutures are placed an inch or two apart around each *vas*. Both sutures are then tightly tied and the segment of *vas* between the two cut out, much like removing the midsection of a hose and capping the two ends. The small skin incision is closed by a few stitches or metal clips and that is it. The procedure is frequently done under a local anesthetic, though general anesthesia may be used. Many surgeons perform the operation in their offices as an ambulatory procedure; others prefer to do

Alan F. Guttmacher, M.D., is president of Planned Parenthood-World Population. Dr. Guttmacher is also visiting lecturer at Columbia Medical School and the Harvard School of Public Health, and visiting professor at the Albert Einstein School of Medicine.

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it in a hospital. In either event the patient is advised to stay off his feet for forty-eight hours. The risk from such simple surgery is insignificant.

Female sterilization is considerably more complicated, since the Fallopian tubes which conduct the egg from the ovary to the uterus and provide as well the last section of the road the sperm cells must follow in their upward trek are not just beneath the skin, like the *vas*, but are situated deep within the pelvic cavity. Therefore an abdominal operation is required to reach them. A three- or four-inch longitudinal, midline incision is made, starting just below the navel. It must cut through the skin and muscles of the abdomen and then through the peritoneum, a thin membrane lining the peritoneal cavity. When the abdomen is open each tube, with the circumference of a soda straw, is lifted up into the wound from its bed in the pelvis and a knuckle or loop formed from its middle third. A catgut dissolvable suture is tied tightly about the base of the loop and the knuckle formed cut off with a scissors. The two cut ends of the severed tube held together by the absorbable catgut tie are dropped back into the pelvis. Within several days the catgut dissolves and the two cut ends of each tube spring apart since they were held together under tension. They now lie about an inch and a half apart, with the cut ends sealed closed by scar tissue. Most female sterilizations are done at the end of a cesarean section operation or after normal childbirth. In the latter instance, either immediately after delivery is completed or within the first twelve hours, the abdominal operation described above is performed. The advantage of doing it so soon after delivery is twofold: technically it is a less formidable operation since the uterus, enlarged by pregnancy, lies above the pelvis and makes the tubes surgically more accessible, and the procedure requires neither a special hospital admission nor an appreciably lengthened hospital stay.

Sterilization does not add to the normal risk of a cesarean section. However, if done immediately after a normal birth or when the woman is not pregnant, a small risk is involved. One cannot give a general anesthetic or open the abdominal cavity without submitting a patient to potential danger. But among major operations, tubal ligation probably carries the least risk—even less than the removal of an appendix.

What happens to the ovum which is imprisoned in the tube and cannot pass into the uterus and to the hundreds of million sperm cells similarly blocked? They age quite quickly, die and fragment into even smaller pieces of protoplasm which the hungry body scavengers (the white blood cells) clean up without trace.

Since sterilization in no manner involves either the testes or the ovaries, it does not alter the physiology of the man or woman. For the male, libido, erection and ejaculation, even the volume of semen, should be unchanged, since the quarter billion spermatozoa are so tiny that their combined volume is that of a pinhead. The woman continues to menstruate and her sex life should be as before. The reader may note I wrote "should" in the sentence above rather than "is." Since sex life is so dominated by the mind, one may discover that sexual activity is affected by sterilization, despite the fact that the doctor says there is no physiological reason for the change. In some, relief from anxiety about the occurrence of unwanted pregnancy may stimulate both sexual activity and response. In others, feeling of guilt or a misinterpretation of the surgical procedure may impair or even destroy sex life. Fortunately, the latter occurrence is uncommon.

Does the operation ever fail? Yes, it may. In about 1 per cent of cases the two severed ends of one of the *vas* rejoin and spermatozoa reappear in the ejaculate. In these instances, reunion almost always occurs within the first six months. Therefore some surgeons examine the male ejaculate microscopically every month for the first half year to make certain the sperm cells have not reappeared. The failure rate for tubal ligation, salpingectomy, is less—approximately 0.4 per cent or one case in every two hundred and fifty. For reasons that are not yet clearly understood, failure of sterilization is slightly more likely when done at the time of cesarean section.

Can the operation be reversed, so that fertility is restored? Yes, in approximately half the cases a rejoining operation succeeds in both men and women. Fifty per cent success is an optimistic sounding figure, but not if one belongs to the unsuccessful half. Therefore sterilization is never recommended unless both husband and wife are certain that their family is complete. To be sure, such a judgment may prove unpredictably erroneous. Recently I received a letter from a woman in Missouri who asked whether her husband's fertility could be restored. He had been vasectomized eighteen months before and subsequently all three of their children had been killed in an automobile accident. I referred him to an expert urologist in St. Louis.

Attempts at reversal are infrequent because the necessity is infrequent. The main experience in men is a by-product of Nazi inhumanity. Some Jews were castrated, others were vasectomized. The castrated victims can never be made fertile, but through hormone replacement in the form of oral tablets potency can be completely restored. Fortunately about half of the vasectomized victims reoperated upon have become fathers. My own experience in reversing salpingectomy stems from the fact that female sterilization is a very common procedure in Puerto Rico. In fact 20 per cent of women on the island between the ages of fifteen and forty-five have chosen to be sterilized, most of them after having several children. It is the commonest operation on the island, commoner than appendectomy or tonsilectomy, and therefore referred to as *"la operación."* Since Mount Sinai Hospital in New York, where I was chief of service, draws the major portion of its ward patients from Puerto Rican Americans, four women came to gynecology within a short period to request restoration of the fertility they had left behind in the mother country. One, a twenty-one-year-old girl, claimed she had been sterilized premaritally at seventeen upon the insistence of her fiancé! All four women had been divorced and had remarried or were contemplating remarriage. Fertility was restored in two of the four.

How common is sterilization in the United States itself? By the time a wife has reached forty, approximately 10 per cent of marriages have been rendered infertile through surgery. Four per cent are the by-product of necessary gyne-

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cological surgery, in which sterilization is not the aim but an unavoidable result. Such operations are the removal of the uterus because of fibroid tumors or cancer, or the excision of the ovaries because of cysts or destruction by inflammation. Another 4 per cent of the wives have been sterilized by tubal ligation with the aim of terminating their childbearing, some at cesarean section. Two per cent of U.S. marriages have been rendered sterile by the husband's vasectomy. The 2 per cent male incidence is twice the figure of five years ago.

Why is sterilization performed? There are three main reasons: to protect the mother's health, to prevent the birth of abnormal infants and because of socio-economic factors. I repeat, sterilization is not interchangeable with contraception; the latter is temporary and the former permanent. If and when there is developed a completely effortless, wholly agreeable and utterly safe method of contraception, the operation of sterilization will be abandoned and become a page in medical history. Until then, probably some years distant, sterilization has an important place in modern medical procedures.

I shall give a few examples of each of the three broad indications.

If a woman has serious organic disease, such as a severe heart condition, pregnancy is permanently contraindicated and sterilization of either the wife or husband is medically wise, even necessary. So too in the case of a woman who has huge ropelike varicose veins which become worse with each pregnancy.

Since cesarean section carries a mortality risk of one in 500 instead of the one in 3,000 attendant upon vaginal deliveries, and since there is a slight risk that the previous cesarean scar will rupture during a subsequent pregnancy, a woman is usually allowed to demand sterilization on health grounds if she and her husband desire it at the second or third section. There is no magic in the numbers two or three, since half a dozen cesareans can be done with safety, but sterilization after two or three cesareans has become medical custom in this country.

When a mating has demonstrated through the birth of tainted progeny that the type of difficulty is genetic and likely to recur in further children, the couple should be presented with all the facts and given the option of electing sterilization. One such example is hemophilia, wherein half the sons are afflicted with a mortal bleeding tendency and half the daughters transmit the trait. Another is Sachs-Tay disease or amaurotic idiocy, a condition in which the child is born apparently normal, progresses normally for six months and then retrogresses; it becomes immobile and helpless and dies at around three years. One quarter of all the children of a couple who have produced such a child will be so afflicted, half will transmit the disease though they themselves are free of any evidence of it and one-quarter will not only be normal but also will not be carriers.

Socio-economic indications for sterilization are less clear-cut. Involuntary plurality of children has social drawbacks for many and economic drawbacks for most. These drawbacks are particularly apparent and urgent in our large urban centers. When I was in charge of obstetrics and gynecology at Mount Sinai in 1952, I developed, with the help of my staff, a parity (number of children) sterilization policy. Sterilization was permitted to any couple desiring it upon the birth of their sixth living child, irrespective of the mother's age. If the mother was thirty to thirty-five years old, five living offspring were required, and if more than thirty-five, four living children. My medical colleagues dubbed this "the law from Mount Sinai." The reason the required number of living children declines with increasing age was twofold: young parents are an asset to children and an older woman has a better opportunity to know her final ambitions concerning completed family size. Nine per cent of the clinic patients at Mount Sinai were sterilized after delivery on the basis of parity, but only 0.3 per cent of the private patients — they rarely achieved the family size required to qualify. Not all hospitals recognize a specific number of children as an automatic qualification for sterilization; those that do have usually worked out their own magic number formula. It may be four or eight instead of six.

There are other socio-economic reasons for sterilization besides size of family. For example, inability of parents to cope satisfactorily with additional children because of their mental or emotional deficiency. Then, too, uncontrollable sexual behavior resulting in a succession of unwanted illegitimate children is in my view a strong social indication for voluntary sterilization.

What is the law regarding sterilization? In twenty-two states there is no law. In the remaining twenty-eight states the law largely refers to abnormal individuals, the feeble-minded or the repeated sex offender. There is no law about normal men and women except in five states. In three, Connecticut, Kansas and Utah, sterilization is permitted for medical reasons, but not socio-economic ones. In two states, Virginia and North Carolina, very permissive laws were enacted by the state legislatures and signed by their governors during the past two years. In both, any adult with letters from two physicians recommending the procedure can be sterilized, provided he or she, and if married, his or her spouse, signs permission. There must be an interval of at least thirty days between the time the individual notifies a hospital of his intention and the performance of the operation. This gives the patient time for second thoughts.

When there is no state law or in the states where a patient's situation does not come within the framework of an existing law, sterilization has uncertain legality. However, in the United States, no civil or criminal action has ever been lost in a sterilization suit when the physician had first obtained signed permission from the patient and spouse. Therefore it is assumed that if no statute is broken, no legal difficulty can ensue when signed permission is attached to the patient's record.

What is the attitude of hospitals? Most hospitals have specific policies and rules regarding sterilization set up by their medical boards. It behooves each staff physician to adhere to such policies. If the physician performs a vasectomy in his office, that is his own affair and no hospital policy is involved.

What is the attitude of religions? Catholicism finds sterilization illicit when the primary object is to render the individual sterile. On the other hand, sterilization is judged licit when the primary object is the removal of a diseased organ, such as the uterus, and sterility is a resulting by-product. There is nothing in the religious ethics of Protestantism or Reform and Conservative Judaism which opposes sterilization. Or-

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thodox Judaism, on the other hand, does not sanction sterilization.

No doubt the reader would like to know the author's attitude. I am absolutely opposed to any form of compulsory sterilization, but feel strongly that voluntary sterilization under some conditions and with certain safeguards is an excellent procedure. In addition to medical, eugenic and socio-economic considerations, a normal couple is sometimes entitled to sterilization. If the couple finds all effective methods of contraception burdensome, or if they are continually accident-prone when using contraceptives, sterilization of husband or wife should be given thoughtful consideration. They should be counseled by their doctor against it if either husband or wife has any reservations, or if their marriage is unstable. Furthermore they should both be told precisely what surgical procedure is contemplated and should be warned that the resulting sterility is likely to be permanent.

The Human Betterment Association for Voluntary Sterilization, Inc., in New York City, is a voluntary organization concerned solely with human sterilization. It collects facts about sterilization and transmits them to the medical and lay public. Also, it advises individuals on sterilization and will assist couples, whose situations meet the requirements of its screening committee, to achieve sterilization.

Mired Troops and Frozen Policy

THE KOREAN PARALYSIS . . Senator Frank Church

American foreign policy tends to maintain fixed positions long after these have ceased to serve our best interests. An example of this rigidity is the continued stationing of two full combat divisions — some 52,000 American troops, including various supporting units—in South Korea.

I neither challenge nor disclaim our basic commitment to defend, by whatever means may be necessary, the integrity of the Republic of Korea. The fixed position to which I refer is not our commitment to defend the country, but the means by which we have chosen to do so. The perpetuation of these means is, I believe, demonstrably unsound, excessively costly and long since unnecessary.

Why does the United States need two full combat divisions in Korea? Since the end of the Korean fighting in 1953, we have given nearly $5 billion dollars in aid to South Korea; more than $2 billion of this aid has been used to equip their army. Today, the ROK army, numbering nearly 600,000 men, is the fourth largest in the entire world! It far outnumbers the entire North Korean armed forces of approximately 350,000 men, and is surpassed only by the United States, the Soviet Union and Communist China. We have made the South Korean Army combat-ready, and equipped it with the most modern weapons; it should, by now, be more than a match for the smaller North Korean force. If it is not, the American people are entitled to know how and where their money has been squandered.

The argument that we must leave 50,000 American sentinels on the front line in Korea to guard against, not a North Korean attack, but the possibility of another invasion by Communist China, is transparently weak. Against an all-out Chinese attack, two divisions of American troops would never suffice. Should Korea be so invaded again, the United States would have to intervene with the whole of her military might. To pretend otherwise is merely to tempt fate.

If another armed challenge of this dimension were to occur in South Korea, we would have to respond with forces now stationed outside that country. And we are prepared to do so. Our armed forces are far stronger and more mobile than in 1950, when the last invasion occurred. Our formidable base and staging area at Okinawa is within easy reach. Moreover, the success of the recent "Operation Big Lift," which flew a whole division from Texas to West Germany, indicates how swiftly we can move our troops from one part of the globe to another. Should a big new invasion ever require it, we could quickly airlift formidable numbers of American soldiers into the Korean peninsula.

The customary retort to these acknowledged facts is that two American divisions must none the less remain in Korea as a psychological deterrent to any future Communist adventures, and to keep the South Koreans reassured of our determination to defend their country. As to the latter, one wonders why further reassurance should be needed after so vast an outpouring of American life and fortune in the Korean War; as to the former, if we accept the argument that our continued presence in Korea is required to make our commitment credible to the potential enemy, then it follows that American forces will have to patrol the 38th Parallel indefinitely — at least until such time as Korea's Communist neighbors either disarm or disappear!

I find neither of these propositions convincing. But, to play it absolutely safe, let us concede that the continued presence of American troops in Korea does offer further proof, to friend and foe alike, of our determination to uphold that country. Does it follow that we must keep two full divisions there? Surely, one regimental combat team would serve the purpose. With our capacity for rapid reinforcement from bases nearby, we can give South Korea the same guarantee of security, with far fewer American troops actually garrisoned there. It doesn't take a whole American Army to provide a "trip-wire" to warn of intruders.

Withdrawing the remainder of these two divisions to locations from which they could be speedily airborne would also add to our general mobility. Our troops now on

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Frank Church, Democratic Senator from Idaho and a member of the Senate Committee on Foreign Relations since 1959, made a recent tour of the Far East, including Korea. During World War II, Senator Church was a military intelligence officer in China.

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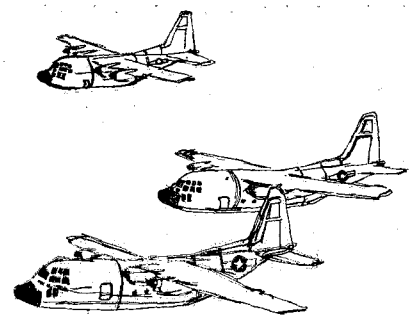
the line in Korea can be used only to defend that country. They are dug deeply into the hillsides. Ironically, we have limited their utility by miring them down in a region of the world where their instant availability for use in a crisis, somewhere else around the rim of China, could mean the difference between success and failure.

Moreover, the case against the frozen deployment of two whole divisions in Korea is not limited to the benefits to be derived from a more fluid strategic position. There are pressing financial, as well as sound military, reasons for reducing the level of American troops in that country.

The cost of maintaining our military forces abroad is a far greater burden to our balance-of-payments problem than our total outlay each year in foreign aid. For instance, in 1962, our balance-of-payments deficit was $2.18 billion. The drain on the balance from foreign-based military expenditures was more than $3 billion. In 1961, our balance-of-payments deficit was $2.37 billion, while our foreign-based military costs contributing to this deficit exceeded $2.93 billion. In both years, we would have had a balance-of-payments surplus, had it not been for the cost of our garrisons in other countries. Retaining two whole divisions in Korea adds more than $100 million each year to our balance-of-payments deficit.

The United States has sustained a deficit in its balance of payments consistently since 1950. As a result, we have accumulated more than $25 billion in short-term obligations abroad, while our gold reserves have dwindled to less than $16 billion. If we subtract the $12 billion in gold bullion earmarked by law to back the currency in our own country, we now have less than $4 billion in gold reserves with which to redeem our outstanding obligations to foreign creditors. During the past five years, our gold reserves have been diminishing at an alarming rate. We have suffered a gold outflow of more than $7 billion since 1958!



All this is not to say that, wherever our vital interests require it, we should not continue to station American troops in other countries. But it is to say that the size of these garrisons should be reduced, wherever possible, to a prudent minimum.

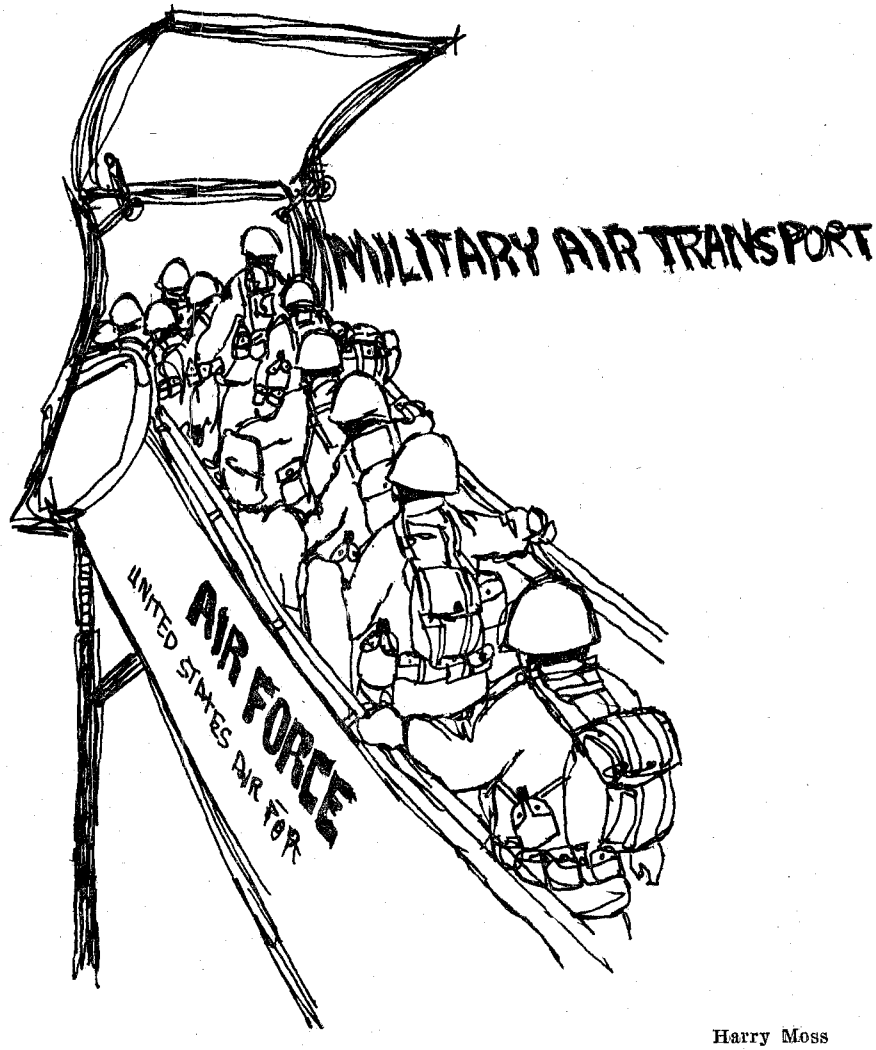
I submit that a sound assessment of our position in Korea calls for the withdrawal of the bulk of our troops, for the following reasons:

- The South Korean Army can repel a North Korean invasion.
- An invasion by Communist China would require us to make an effort of an entirely different magnitude than is implied by the two divisions currently quartered in Korea.
- A regiment of American combat troops on the front line in Korea would serve just as effectively as a "trip-wire" deterrent to the Communists.
- Removing the remaining units from their trenches in Korea would add to the mobility of our military posture in Asia.
- A reduction in the number of American troops stationed in Korea would mitigate our serious balance-of-payments problem.

Our paralysis of policy in Korea results not so much from pressures generated in Seoul as from those arising in Washington. They are partly bureaucratic and partly political.

To begin with, the Army has a vested interest in maintaining the *status quo* in Korea, while there is no *vested* interest in changing it. It is the Army, principally, which regularly resurrects the specter of Communist aggression as the probable consequence of any force reduction there. I think it reasonable to suppose that the Army's judgment on this matter is somewhat

(Continued on page 356)



Harry Moss

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The Radical Vision

THE MAKING OF THE ENGLISH WORKING CLASS. By E. P. Thompson. Pantheon Books. 848 pp. $15.

Norman Fruchter

Contrary to the popular myth of the vigorous American vis-à-vis the enfeebled Englishman, our performance in tracing our radical past is an anemic and lifeless blend of methodological evasion, grandiose empiricism, and shabby accommodating apologetics when compared to the achievement of the radical English scholars. Similarly, our studies of class as a phenomenon have been limited to considerations of agency — of who might effect profound social change— and to assessment of ideologies current among contemporary class divisions. We have always lacked both rigorous histories of our radical tradition and analyses of the development of our own class consciousness. In England, on the other hand, the work of Richard Hoggart (*The Uses of Literacy*) and Raymond Williams (*Culture and Society* and *The Long Revolution*) are only the most recent and impressive examples of a continuity of creative, committed scholarship and analysis. Part of the reason for our impotence lies in the postwar collapse of our radical impulses and movements, and the consequent accommodation of our most gifted scholars and critics to the liberal "establishment." Most of the radical ferment of the thirties and forties is now comfortably settled into the academies or the decorous columns of the literary and entertainment journals.

But E. P. Thompson's massive and passionate history, which will quickly become a classic in that tradition of radical British scholarship, illustrates other causes for our failure to face and examine our own radical past. Thompson utilizes all the methods of the classical and modern historian, but also employs a range of economic, sociological and literary techniques which would not be accessible to the dreary specialists our graduate faculties increasingly mold. In fact, Thompson's academic criteria would probably not qualify him for a teaching or research post in our university history departments. Thompson, like both Hoggart and Williams, has worked in adult education — in the extra-mural departments of English universities (it is hardly accidental that we have no equivalent departments in this country). Our universities used to produce, and then subsequently hire, independent and creative scholar-critics of Thompson's caliber, who transcended specialization and the routines of the advanced degree (R. P. Blackmur, Edmund Wilson, Francis Fergusson), but we have produced no similar younger generation to reinforce their work. In England, achievements like *The Making of the English Working Class* are an occasion for celebration but not astonishment; in the United States they seem an impossibility.

Thompson's book is a detailed demonstration of the formation of class, which happens "when some men, as a result of common experiences (inherited or shared), feel and articulate the identity of their interests as between themselves, and as against other men whose interests are different from (and usually opposed to) theirs." The entity, class, is usually handled sociologically in this country, but the terms Thompson uses — identity of interests and opposition of interests — are not the language of American sociology. We have been so preoccupied with hierarchical *classifications* (rather than class), the methodology of classification, and the definition of the responses and attitudes necessary for adequate performance of class *roles* that we have almost bankrupted the classic sociological tradition defined by Marx, Weber and Durkheim. It is at least debatable whether any enduring sociology can issue from men who accept and legitimate the present American social structure (the greatest sociologists have, with few exceptions, been radicals and not department heads), but it is certainly demonstrable that the present ahistoric and static nature of American sociology is largely irrelevant to anything but system-maintainance in a static society.

Thompson deals with class by concentrating on class opposition and conflict, concepts considered vulgar by American scholars and subversive by laymen. He demonstrates the formation of a people's consciousness of shared identities and oppositions during a particular time period of privation and turbulence, and he documents the formation of organizations based on that consciousness. "Class is a relationship and not a thing . . . we watch these men over an adequate period of social change, we observe patterns in their relationships, their ideas and their institutions. Class is defined by men as they live their own history and, in the end, this is its only definition."

The period Thompson analyzes begins with the Jacobin agitation in the 1790s and ends with the national disappointment in the Reform Bill of 1832. Thompson argues that the maturation of the working class started from the union of Jacobin radicalism with the anguished but embattled response of the "freeborn Englishman" to the loss of his *natural* (feudal) rights. The English counter-revolution which followed the French Revolution enforced secrecy, conspiracy and covert organization on the slowly radicalizing workers; the economic privation caused by both war and the pace of industrialism increased their sense of opposition and identity. The defeat of the radical movement after the Napoleonic wars cemented the formation of the working class: the failure of the Westminster radical MPs, the great weavers' strike, the countless marches and demonstrations, the Luddite risings, all led to a self-conscious, organized community. By 1819, in Peterloo, a coherent class possessed its own trade unions, political clubs and societies, debating rooms, coffeehouses, newspapers, journals, pamphlets, leaders and activists. Both the establishment's hunt for the Luddite rioters (the authorities found themselves opposed by a closed community) and the massive agitation which forced through the Reform Bill illustrate the achievement of a class barely in formation fifty years earlier. Thus does Thompson trace the twin themes of his

Norman Fruchter, author of the novel Coat Upon a Stick (*Simon & Schuster*), *worked as an assistant editor of* New Left Review *when E. P. Thompson was Chairman of the Board; he now lives in New York and is an editor of* Studies on the Left.

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book: *consciousness and organization.*

In setting out to "rescue the poor stockinger, the Luddite cropper, the 'obsolete' hand-loom weaver, the 'utopian' artisan, and even the deluded follower of Joanna Southcott, from the enormous condescension of posterity," Thompson has opposed two prevailing historic orientations: the classic account and the empiricist critique. The classic or orthodox account, written mostly by parliamentary Socialists and Fabian reformers, stressed the constitutionality, sobriety and the good gray solid features of the English radical movements. Thus the Jacobin conspiracies and plots, the food and wage riots, the Messianic and millenarial cults, the Luddite uprisings, have either been defined as symptomatic outbreaks rather than deliberate and meaningful occurrences, or else have been dismissed as weird individual excesses and isolated incidents. Thompson is both more courageous and more intelligent; his synthesis finds the causes for all the dismissed occurrences in the privations resulting from the breaking of feudal bonds, the erosion of traditional work, wage, market and living arrangements through a rapid and exploitative industrialism.

Thompson finds evolving organizations, planning, a consciousness of rights abrogated and attempts at redress, where other historians have found only chaos; his analysis of the "mob," and his conclusion that only the paid "church and king" rioters deserve the title of mob, are an example. His treatment of Francis Place, the copious diarist and record keeper whose long career and voluminous reminiscences have served many historians, contrasts with other scholars who have used Place's records to form judgments. For although G. D. H. Cole and a few others have discounted Place's tendency to inflate his own role in key incidents, only Thompson has been prepared to evaluate Place's "sober constitutional pedigree" and his "emphasis on educational activities," and to see that Place systematically dismisses the attempts and effectiveness of all organizations and activities not committed to lawful reform. Moreover, "contemporary reports of spies have a touch of animation which Place has missed." Thompson wants that animation, and recreates the humor, irony, bawdiness, spontaneity and enjoyment of the period. His use of documentation is richer and more varied than any historian I have read: spies' testimony, ballads, broadsides, stories, slogans chalked on walls, poems, snatches of pamphlets and even psalms jostle the more conventional letters, documents, official records and newspaper accounts. His use of Mayhew's *London Labour and the London Poor* (published in 1884), seems particularly original and relevant. Thompson manages to supersede the classic interpretation of the sober march toward reform by the passion of his commitment to define the vitality and belligerence of a maturing class.

The empiricist critique of the classic tradition is doubtless more familiar to Americans; a more "contemporary," less "ideological" and more "scientific" group of historians, economists and statisticians faulted the orthodox historians for their sloppy methods, unproven generalizations and moral bias. (The title of one of Thompson's key chapters, "Exploitation," will undoubtedly cause shudders.) The empiricists reinterpret the period by concentrating on the *processes* of the Industrial Revolution, and by considering the attendant problems of industrial change, development, urbanization, training of a new factory force, labor supply, farm-city balance, reorganization of trade and finance. The classic historians' judgments about the effect of these processes on the lives of that period's inhabitants, and especially on working people, are either dismissed by the empiricists as statements indicating moral bias, or else challenged and "disproved" by empiric methods. Quantification is utilized to attempt to show that the standard of living rose between 1790 and 1840, or that real wages rose between 1800 and 1830, or that food consumption increased after the Napoleonic Wars.

Thompson ravages the empiricists (and destroys the undeserved reputation of some recent American sociology and economics), first, by demonstrating that their own methods are used too incompetently and narrowly to deal with the massive and complex quantifiable data available. Next, Thompson demonstrates that the considerations involved in computing a general index of standard of living, let alone demonstrating whether a rise in standard of living was generally shared, throughout the society, or limited to certain class groupings, are so varied that no meaningful computation is possible. In his strictures against the narrowness of reference and insufficient awareness of context which characterize empiricist attitudes in general, and much of American history and sociology in particular, Thompson touches one of our current academic weaknesses. "To the student examining the ledgers of one cotton-mill, the Napoleonic Wars appear only as an abnormal influence affecting foreign markets and fluctuating demand."

Finally, after a detailed consideration of the effects of industrialism on the three workers' groups (field hands, artisans and weavers) most damaged by those processes which the empiricists have reduced to abstractions, Thompson confutes all the empiricists' claims and dismisses the effort to evade moral and historic judgment: "the term 'standard' leads us from data amenable to statistical measurement . . . to those satisfactions . . . described by statisticians as imponderables. . . . From standard-of-life we pass to way-of-life. But the two are not the same. . . . It is quite possible for statistical averages and human experience to run in opposite directions. A per capita increase in quantitative factors may take place at the same time as a great qualitative disturbance in a people's way of life, traditional relationships, and sanctions."

Traditional relationships and sanc-

In Praise of Lust

Lust, you are
the first virtue.
Lust, my knees
have introduced themselves.
Lust, because of you
the do-good girl
moves
down the hall with
a rug-beater.
Beware, oh dreamer,
there are no corners
when
lust comes for supper.
Lust, for lack of you
the Patroness of Cats
is heaved
into the street.
For want of you
Forbidden Fruit
is a drink
made of brandy, honey and
oranges from Valencia.
Lust, my tongue hurts,
my shoes are tight.
Let's go riding, Lust.
I'll wear you
for a dress.
We'll mount bare-back.

Kathleen Fraser

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tions are the strengths in the feudal order that Thompson sees as eroded by a brutally quick, exploitative industrialism. Since American radicalism lacks any base in a feudal order, our histories must define different origins. But Thompson's *method* — his synthesis of a great variety of historical, literary, economic and psychoanalytic analyses — is precisely relevant to the work we must do to rescue our radical past (and present?) from the tombs of institutional history and sociology. Yet perhaps the ultimate value of Thompson's work is the transparency with which he writes history. Both his interpretation of event and character, and his judgments and analyses, proceed visibly from his marshaling of evidence. His work is *open*, to disagreement and to reinterpretation, because he makes his processes clear; he does not engage in the manipulation of jargon and the balancing of abstractions which make much American academic work both worthless and impermeable. We need work of Thompson's rigor, passion and commitment, so that we can begin to see what our own processes of capitalist industrialism (with a consequent exploitation which may have caused more damage to life in this country than in England) have done to our traditional — though post-feudal — relationships and sanctions. We also need to know what radical traditions and consciousness still exist so that we can organize to effect the wholesale change necessary for a truly egalitarian society.

The Ginger Man Who Couldn't

JUBB. By Keith Waterhouse. G. P. Putnam's Sons. 246 pp. $3.95.

Nelson Algren

"The Piccadilly Line is the best place: it must be something to do with the class of girl that lives in these places. I sit there sometimes from Ruislip to Cockfosters and back again. I ogle them across the carriage, keeping my eye steadfastly upon their knees. I have stuck with them, changed trains with them, followed them through the tunnels and out into the daylight in streets I have never seen before, until one or another of us becomes frightened . . . arrive home with my feet wringing with rank sweat from treading the streets, darting from one lighted window to the next. My lips are caked with white sludge as though a snail has crawled across my mouth, my nostrils are caked with dirt. It is five and a half weeks since I had a bath. I go to bed filthy and I wake up filthy. I want a mistress. Somebody as filthy as myself."

Thus Jubb, thirty-six, chairman of the Youth Section of the Good Neighbors Club, landlord's agent and inventor of "the straight, hard, carnal look."

"It is bad enough living with you as you are" — Jubb is now reading his wife's final goodby-forever: *"it is even worse when you go for weeks without a bath. It is no use wishing you happiness, Cyril. I have come to the conclusion you don't know how to be happy."* Either that or Cyril don't know how to wash himself.

"I humbly beg you on bended knee" — Jubb begins to reply — but soon abandons the effort, to thumb through fading red and blue pages of his old boy's books—"O.B.Bs. we call them." So he loses himself in his never-was world of muffins, quads, dorms, common rooms, house captains, Tuck shops, japes and feeds and cribs and uncles with fivers and Christmas holidays in snowed-in country houses. Alone through the lonesome night he hears boys' voices echoing through hallowed cloisters — *"Yaroo! Leggo! Yaroo!"* until tears well up in his eyes. "I began to cry. *'Yaroo! Yaroo!'*"

"A very funny book," one reviewer terms this novel. "Gloriously comic characters," another has observed. From cover to cover *Jubb* struck me as a cry of pain.

Perpetual watcher of late-lighted windows, clandestine lurker, unclean eater of digestive chocolate and non-smoker who keeps matches handy, Jubb is an absolutely classic creep: "I slipped into a newsagent's shop and bought an adult magazine full of naked women covered with netting. . . . But I don't know what to do with the magazine now I've got it. If I'm not careful I'll be showing it to some of the lads at the club and then you're on the slippery slope. Youth club leader on serious charge. Oh yes, it's on the cards alright."

Caught in the vise of an iron compulsion, Jubb is aware that he is a doomed man. Yet tries to stave off his dread of the end with a hope long-gone; and with a hope-to-come. The hope long-gone is that of finding once more a woman who once had pitied him. In every woman he follows he is reminded of Ruth. The hope-to-come, derived from a travel folder, is of a week on Hamburg's *Reeterbahn*:

> *In this city of sin-round-the-clock, striptease and sex shows are on tap 24 hours a day. Hundreds of strip joints and shady cinemas line the blue mile of* The Reeterbahn.

Only in hiding or in pursuit can Jubb come alive. When a girl he is following turns upon him abruptly—"You know I'm a prostitute, don't you?" — Jubb is as good as gone. When he writes, anonymously, to a neighbor woman whom he's just walked to her door—

> *Dear Mrs. Ritchie: I long to touch your quivering thighs and brush my fingers across your throbbing bosom* —

Jubb isn't trying to seduce anybody. The lady's thighs are perpetually aquiver. Her bosom never stops throbbing. But Jubb, although so powerfully propelled by fantasies of love that he is in daily risk of imprisonment, is at the same moment pressed just as forcibly back—"I *can't!* I *can't!*"

Something has to give. With the Ginger Man this was simple: people or walls, whatever hindered, had to give before him. But Jubb, perpetually tormented by a need he is incapable of fulfilling, cannot make *anything* give. ". . . in Cambridge there was a glimmer of a chance of something of an experience," he recalls.

"Something of an experience" is the clue to Jubb's affliction. An affliction, if not endured so acutely as by Jubb, is yet one lately so widely shared that it spans oceans: that of a spiritual isolation out of which it is death not to break.

"What chance is there?" Jubb asks himself, "How do you walk as though the world belongs to you?"

Jubb is a citizen—though he hasn't paid his dues—of that curious Anglo-American land of one-way mirrors, blue films and the tape recorder hidden under the bed. A land peopled by males in flight from sex; albeit their flight is disguised as pursuit. For the magazines he reads and the ads he answers are those which, under pretense of selling sex, actually sell a way out.

"We could tell them to go right out the window and they'd take our ad-

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vice," an American key-club executive said of his waitresses recently. And in a world where women are rabbits, Jubb would function well. His salvation would be to find once more that land where he could hurt and not be hurt in turn. That magic place where one had only to open one's mouth and food was put into it. There, one was loved, yet did not need to love in return. There, one was warmed, yet did not need to give warmth. There, one was guarded through the day and rocked to rest at night. There, nothing was required of one but to consume.

But Jubb, poor Jubb, owns no Jaguar, no Diners' Club card, no expense account, no credit rating and no key with a pair of bunny's ears engraved on it entitling him to be a professional consumer. All Jubb lacks of being able to walk through the world as though it belonged to him is a hundred dollars and a bar of soap.

Like the Playboy man, he employs contempt of women to disguise his fear of them. Incapable of that basic relationship between men and women that Karl Barth termed *Mitmensch*—co-humanity—he is forced to reduce women to an object which, like a doll or a bunny, can be caressed without making demands; or abused without danger of its striking back. A man to whom the face of love is more dreadful than the face of death, he finds his harrowing way to his own strange *Reeterbahn*.

Billy Liar, Mr. Waterhouse's earlier novel, was excellent comedy. And *Jubb*, too, is thronging with clowns. But the clowns' faces have the pallor of death on them. This is a truly ominous book.

Nelson Algren is the author most recently of Who Lost an American? *(Macmillan).*

ART

THE CHICAGO SCENE I

The question of nationalism or localism in art recedes almost in direct proportion to the maturity of that art. To be merely a European or American artist is intrinsically not to be very much, for the artist who fails to overcome his initial environment falls short of real identity. In this respect, artists in New York are refreshingly unaware of producing New York art; there is no self-consciousness about the place. None the less, it is always true that his surroundings affect the artist, that local conditions contribute variably to the formation of his work. In considering art in Chicago, therefore, I want to define what flavor, and ultimately power, that area might have given it — and further, to discover if art there is ceasing, or has ceased, to be only indigenous.

The history of artistic culture in Chicago has been not only distinguished, but frequently *avant-garde*. (And this is not to mention Chicago's architecture, a subject of international importance.) In an admirable period of American collecting, Mrs. Potter Palmer, beginning in 1892, and Martin Ryerson, a little later, secured one of the abidingly great concentrations of Impressionist and post-Impressionist art. No less significant were the contemporaneous holdings of Japanese color woodcuts, today contested only by Boston's. It was a Chicago collector too, Arthur Jerome Eddy, who published one of the earliest books on Cubism in America, in 1914, and patronized such progressive artists as Man Ray. During the twenties, and continuing to the present, the Arts Club mounted some of the most serious exhibitions of European modernists in this country, notably Picasso in 1923, a large Brancusi show (installed by Duchamp in 1927) and Miro and Soutine through the thirties. So too Katherine Kuh, on a smaller scale in her Diana Court gallery, presented Leger, Klee and Kandinsky. Finally, the transplanting to the city of the German Bauhaus, under the directorship of Moholy-Nagy, was an enormously auspicious event. There can be no complaint, then, that the art life of Chicago was not exposed to the great moments of the twentieth-century tradition.

The reaction, public or professional, to these riches, however, reflects no credit on the city. To begin with, official response to the Armory Show, brought from New York in 1913, was a rather worse Philistinism than could have been expected. And the acquisition of de Kooning's "Excavation" by the Art Institute in 1952 was reviled, among others, by the *Daily News* with the vulgarity that distinguishes that paper. Then too, the spirit that wiped out Wright's Midway Gardens and took down Sullivan's Garrick Building, was only slightly mollified in the catcalls that greeted the 66th Annual American exhibition (heavily featuring Pop art) of last year.

Much more serious is the fact that there had been no quickening of artistic activity under the stimulus of the European work shown until well after the Second World War. In the thirties, only Theodore Roszak toyed briefly with Neo-Constructivist sculpture, and Rudolf Weisenborn grotesquely misunderstood Cubism. For the rest, Chicago art was dominated by such figures as Grant Wood, Aaron Bohrod, Francis Chapin and Ivan Albright. In a word, the most virulent and conservative regionalism not merely coexisted, but remained unchecked by intimations of what really concerned art in the outer world. Moholy rightly complained that his courses had no effect upon the civic life or the artistic output of the city. This stubborn insularity, which can make no claim even to the pedigree of a native tradition in the visual arts, has persisted—to be weakened, or rather colorfully sharpened, only by widely spaced individuals with very special ambition and imagination.

Chicago, during the war, did not have the good fortune, as did New York, to act as host to the great School of Paris *emigrés*. What new artistic fertilization there was took place in the minds of some returning G.I.s—the majority of them Jewish—who had seen the concentration camps, who were now studying at the Art Institute, and who were not untouched by the humanism of Hutchins' University of Chicago. Unfortunately, their momentum was by no means matched or served by the training at their disposal. The School of the Art Institute, then as now, slept in indifference to the postwar art scene. But if no one of vitality was imported to shape the curriculum, the young artists had in Boris Anisfeld (whose Eastern European art derived from Chagall and Leon Bakst), an old-fashioned but all-too-influential teacher.

A certain ambience of taste began to develop. If one adds to Anisfeld the durable Albright, spices with the marvelous fetishes of the Field Museum of Natural History, and finally drops in a pinch of such Surrealists as Matta and Cornell (and perhaps a smidgen of de Kooning), one arrives at

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the charnal brew from which evolved postwar Chicago art. Perhaps, too, it is not insignificant that one of the earliest and richest collections of Dubuffet in America, the Culberg, is housed in the city, or that in 1953, Dubuffet considered Albright the most important American painter. In addition, one should mention a predisposition among the artists, not for Freudian theories of the subconscious, as a local critic thought, but for Jungian archetypes and mythic structures. Finally, to round out the picture, there evolved during the late fifties an interest in Francis Bacon (Chicago received his recent exhibition much more sympathetically than did New York) and an involvement with German Expressionism (around 1958), of which the major treatise, Peter Selz's, emerged from the University of Chicago.

In short, a sensitivity to Surrealism, Primitivism and Expressionism characterized the climate of art in the center of the Midwest. Shared by collectors and artists alike, these inclinations nevertheless strangely failed to produce a cohesive or authoritative atmosphere, much less mutual respect. To be sure, the created pictorial work (by men, with one exception, who have still not yet reached forty-five) is open to many criticisms. Its chief problem seems to be the clash of highly articulated surfaces with the imaginative existence of images whose potency is not necessarily served by overtangible paint matter. Moreover, this is complicated by a lack of sensuous response to material, a thoroughgoing discomfort with color and an incredibly prolix, self-strangling way of composing. In the end, a knowledge of the resources of abstraction informs, but also conflicts with, the demands of an obsessive iconography.

Against these drawbacks, though, one can measure virtues present nowhere as consistently as in Chicago. Prime among them is an intensity which invests so many of the images —be they of automatons, or harpies, or beasts—with an iconic fierceness. This, in turn, is complemented by a draftsmanlike power (a particular strong point), which acts as a stabilizing agent. Finally, at their best, painters from Chicago can evoke a shuddering anxiety and horror, whose mystery is entirely personal. It ought to be mentioned, incidentally, that after covering the group that matured in the 1950s, these generalizations might be broken down to indicate two

"If a nation expects to be ignorant and free, in a state of civilization, it expects what never was and never will be."
THOMAS JEFFERSON

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tendencies: the one brutalistic, grotesque and extremely earthy—Golub, Campoli and Rosofsky; and the other splenetic, refined, gracefully pathological: Halkin, Petlin, Hunt and Cohen. The above outline of their sources would, of course, have anticipated such a cleavage.

As yet, no detailed study has been made of their remarkable contribution. Much remains to be understood, for instance, about such things as their use of movement (a kind of quivering tremor along contours) and metaphor, manifested in a continual anthropomorphism. Still, analysis can uncover only so much in an art which is fixated and possessed. Artists such as Passuntino, Westerman, Pope and Barnes are, at certain important levels, impenetrable. And very little can be determined about the immensely enigmatic work of the women, among them Lee, Carloye, Statsinger and Leaf. But certainly a city which spawned all these people — many of them unknown, although their vision is often weirdly compelling—was by no means unblessed, artistically.

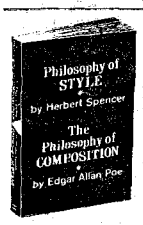
Unfortunately, it is also true to say that Chicago ignored them, when it was not outright hostile. Despite inspired encouragement from the dealer, Alan Frumkin, and the collector, Joseph Schapiro, no market and no recognition of its artists has ever really been established in Chicago. In their early days as precocious students, the painters were refused exhibition at the local area show, and had to form their own group—the lively "Momentum." Collectors of the city consistently buy in New York — even their own artists — as if a New York cachet accredited what their own eyes could not see. As for the press, its record for obtuseness is almost distinguished. No serious journalist critic, no one who can responsibly judge quality and confirm a reputation, exists, or gives any sign of existing, in Chicago. Moreover, the role played by the Museum of Modern Art in New York has had no counterpart in the Midwest. Such a lack has been the more serious because the Institute is a great international, but unspecialized, organization unable, and not infrequently unwilling, to support artistic activity within its own sphere of influence (e.g., its shamefully boutique rental gallery). And, as one dealer remarked, the Chicago Annual (not an invitational show) merely localizes current work, while exhibiting the unexhibitable. Under these demoralizing circumstances, it is clear why no one is drawn to the city.

Nor is there room for conjecture as to the alarming exodus from it. Of the people I have so far mentioned, only the smallest handful remain. This is not to overlook, in addition, the loss of the sculptors Goto and Beal, the strong chromatic abstractionists Natkin and Dieringer, and the Pop artists, Oldenberg and Indiana, most of whom had to develop their characteristic styles outside their original training ground. The story of art in Chicago is largely one of persistent departure.

For anyone familiar with the psychology of the city, the underlying reasons for this dispersion are not hard to find. This burly and energetic urban center has always entertained a cultural rancor for the East Coast, even as it has refused to acknowledge the brilliance of many of its own native sons. Pride, or parochialism, is not so much at the root of this bitterness as insecurity. Enough of the latter, regrettably, has affected the artists to make them shy away from, as if it were a potential loss of their essence, anything that might be construed as participation in the national art life of this country. At the same time, since they cannot live and work in Chicago, they flee to more congenial centers — where they remain still alienated and solitary.

MAX KOZLOFF

(This is the first of two articles)



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FILMS

THE SERVANT
YESTERDAY, TODAY AND TOMORROW

The Servant, adapted by Harold Pinter from a short story by Robin Maugham, is a tale of horrid degradation that would have been modish in the years just after Mr. Maugham's famous uncle came down from the university. Two wars and a world of authentic horror later, it is little more than snobbish tomfoolery.

The notion that is intended to chill our blood is that a young man of good family, however great a ninny, could be corrupted by a manservant, however baleful. In point of fact, the young gentleman, recently and advantageously orphaned, has begun to spoil a bit before ever he interviews the malevolent Barrett—little matters like being drunk in the afternoon and impressing his fiancée with a quite illusory yarn about being asked to help build three great cities deep in the hinterland of Brazil; meanwhile leisure, dalliance and the squandering of what seems a substantial inheritance are the order of the day. Coming upon this promising situation, the servant has only to pass the brandy, install his alleged sister, a nymphomaniac of limited intelligence but agile guile, in the scullery, sniff delicately at the fiancée's taste in townhouse decor, and in no time at all the feckless heir is crawling about on all fours. There is an up-to-date whiff of homosexuality about all this, and in

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the one orgy scene so much play is made with candid cameras that it crossed my mind Barrett might be planning to set up in a small way as a photographic pornographer.

Joseph Losey has directed this macabre minuet with a maximum of long, significant glances and a minimum of originality. Young love is indicated by snowball fights in the garden, crucial encounters are heightened by reflection in a mirror, defeat is admitted by the failure to answer the telephone. The photography is oil-slick and fashion-magazine artful.

Dirk Bogarde plays the servant with his considerable dramatic technique out in the open; you can see the gears shifting from servility to cockney vulgarity to leering brutality, and Bogarde runs through the changes with gratifying accuracy and snap. The role is blocked out into its elements, but the harder work of giving it an overall coherence has been skipped, and as a result he seems to be playing multiple parts, in the Guinness-Sellers manner. James Fox, blond and awkwardly high-strung, is a convincing young blood; it is not his fault that the part has been written without the tension of any inherent virtue, that it lacks fiber and therefore interest. Wendy Craig, as the fiancée, is a plain girl who conducts herself with the arrogance of a beauty; it is an idea worth watching. Sarah Miles has been instructed to giggle, pant, blurt, wriggle and show her rodent teeth, and does so to produce a parody of what every young man should give a wide berth. All in all, the cast is capable of much better work than has been asked of it.

The Servant, shown at the New York film festival last summer, has been a hearsay hit ever since, and appears to be succeeding by virtue of this anticipatory momentum. At least, I can see no other reason for the ballyhood worked up for this highly polished, dismally old-fashioned machine.

In *Yesterday, Today And Tomorrow* (a title which means precisely nothing), Vittorio De Sica puts Sophia Loren and Marcello Mastroianni through their well-known paces in three episodes written by Alberto Moravia, Cesare Zavattini and Eduardo De Filippo. The locales are Florence, Milan and Rome; the subject is love, licit and otherwise; the motive, I believe, is tourism. This is the Italian film establishment being deliciously Latin, and Miss Loren, her partner and the cities of the south have never looked better.

Of the three sketches, the first (De Filippo) is a cute idea carried on too long, the second (Moravia) is stunningly without content and the third (Zavattini) is an excellent romp. Both Loren and Mastroianni are notoriously adept at romping, and the anecdote of a Roman call girl who takes a religious vow and thus discommodes her impetuous Bolognese boyfriend is good amoral fun. I like the Italian film industry better, though, when it makes pictures it is really interested in, than when it cooks up a dish of mixed pasta for the export market.

ROBERT HATCH

THEATRE

LITTLE EYOLF, TRUMPETS OF THE LORD, IN WHITE AMERICA

Ibsen is usually thought of as a social critic, but his plays would have been far less enduring if he had been no more than that. They were also self-criticisms. His soul was the battleground of conflicting forces; he was his own grim judge.

An implacable individualist, he was the enemy of social hypocrisy. But the nineteenth century, having proclaimed the individual's inalienable rights, proceeded to shackle the individual in a new class structure which made the wealthy assume a mask of piety and the poor kowtow to the powerful. Ibsen's *Brand* denounces the Protestant compromise of the period which turned religion into a palliative, not to say a humbug. Ibsen admires the "all or nothing" demands of Brand, the harsh preacher, but shudders at his lack of compassion and the bitter consequences of his unyielding idealism. Peer Gynt is the imaginative, resourceful, self-made man, forever eager to get ahead and largely successful at doing so, who ends a betrayer of those closest to him, an empty vessel.

Dr. Stockmann in *An Enemy of the People* learns that he must stand alone against the "compact majority" (which Ibsen the self-proclaimed democrat distrusted), and tell the truth, no matter whom it injures. In *The Wild Duck*, telling the truth wrecks a once peaceful home. The drive of reason and the destruction of illusion are means and ends which must be unflinchingly followed, but the results may be as damaging as the pursuit of evil. The unswerving individualist, he who forges the new world, nearly always, in Ibsen's plays, spends his last days isolated, in half-mad doubt and self-reproach.

Almost everything that has been argued against Ibsen—his bleakness, the rigidity of his logic, the constriction and coldness of his craft—was first decried in his own plays. Toward the end of his career he confessed that he was unable to reach the heights to which he had aspired and to which youth summoned him. He had been a self-suppressed romantic. His work, he believed, had a certain brutish bluntness because he had renounced too much, and particularly the yearnings of the heart.

Ibsen's plays are autobiographical in their inner meaning. The tension created by his subjective inspiration and the strict objectivity which he imposed on it give them a mysterious density of mood which preserves them. They do not resolve themselves in any simple ideological proof.

Much of what I have just said applies to *Little Eyolf*, which is being presented by Northwestern Productions (formed by graduates of the drama department of Northwestern University) at the Actors Playhouse. It is rarely done in New York because it is one of Ibsen's most austere plays, one in which we feel that he is trying to say more than his plot will allow. For the tension just mentioned may be defined in another way. Ibsen wanted his middle-class—realistic and functional — constructions to achieve the poetic grandeur of classic drama: he wanted his dwelling places to be monuments. Earth-bound by social and intellectual considerations (one had to be in tune with one's time) he was forever striving, as the last line of *Little Eyolf* has it (in anticipation of his next play, *The Master Builder*), "Upward—toward the peaks. Toward the stars. And toward the great silence."

What *Little Eyolf* literally tells us is that the intellectual as well as the artist of our day, for all his grand talk about "human responsibility," is often a self-centered prig. He marries for convenience—his work—and for sexual companionship. His wife devours

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him with a love that extends no further than his person. He grows ever less aware of his neighbors, his family, his society; his affections then tend toward the semi-incestuous. He cripples those closest to him; his negligence spells their death. He can save himself only by direct, unequivocal work required by the specific needs of his immediate community.

The flow and fascination of *Little Eyolf* arise from the interweaving of so many of Ibsen's preoccupations, some of which are merely hinted at. Whether or not we agree with William Archer's estimate that the play is "among the greatest of Ibsen's achievements" (an opinion shared in large measure by Shaw), we cannot fail to be struck by the "something more" in the play's atmosphere. We breathe the very air of one of the Ibsen households—the place, the emotional pressures, the hidden thoughts, the unspoken words, the fate—which exercises a far greater spell than does the bare articulation of the play's structure or thesis.

It is just this substance of reality, this fabric of experience, which the players of Northwestern Productions are unable to create. This, I was going to say, is due to their youth, but it is not a matter of years. Physically the actors correspond entirely to the description of the characters in the printed text. They lack two things: the full technical training for such a play and, even more, the cultural "soil" which gives the European actor a ground wherein his personal knowledge of human relationships may mature sufficiently to express the life-laden gravity of Ibsen's world. Still, despite their inadequacy as instruments for this task, the Northwestern actors have faithfully followed a director who understands the play so that its lineaments at least are made clear.

The great dramatic work about the challenge of the American Negro to our country has not yet been written. But materials are accumulating in moralities, songs, documents—almost always impressive and stirring. Thus James Weldon Johnson's *God's Trombones*, adapted by Vinnette Carroll, has been made into a fine composite of gospel singing and folk preaching in *Trumpets of the Lord* (1 Sheridan Square) for which the actors and singers are fully equipped with both technical skill and the inner resources. Al Freeman, Jr., Theresa Merritt and Cicely Tyson head a group wholly admirable in spirit, speech and chant.

In assembling historical data from private and public sources, Martin Duberman, a Princeton professor, has wrought for the actor-speakers of *In White America* (Sheridan Square Playhouse) a shameful saga of the black man's agony in our land from the days of the slave trade to the present. Remarkable pace — which does not signify rapidity so much as variety — has been given to the various episodes, sometimes acidly ironic, sometimes poignantly intimate, sometimes almost epic, and always inescapably pertinent. The swell of an irresistible determination in this well-organized performance raises hope for the Negro in America.

HAROLD CLURMAN

KOREA

(Continued from page 348)

colored by its own perspective. I have yet to meet an Army officer who felt we were maintaining too many divisions anywhere, or one who believed that our regular Army ought not to be further enlarged. There is a natural tendency for the Army to seek, not alone in Korea but elsewhere, to perpetuate those deployments of troops in the field which will have the effect of rendering our present Army strength immune to question, and thus invulnerable to competing demands for the slice of the defense budget it represents. If we must wait for the Army to endorse a troop withdrawal from Korea, we shall wait a long time indeed!

However, whether or not we shall continue to garrison troops in Korea is a decision of foreign policy. It is to the State Department, not the Pentagon, that the President should properly look for any recommended changes of course. Unfortunately, the voice of McCarthy still intimidates at the State Department, even as the dread campaign charge, "soft on communism," still intimidates at the White House. Fear of Congressional reaction in the capital, and voter reaction in the precincts, stultifies our policy in Korea, as it does wherever we find ourselves "eyeball to eyeball" with the Communists. The overriding consideration against any reduction of our forces in Korea is the political calculation that such a move would "pay off" for the Republicans. If a Democratic President were to withdraw troops from Korea, the Republicans might denounce the move as some kind of retreat in the face of the enemy; on the other hand, a Democratic President can easily make the decision to stand still in Korea look like a determination to stand firm.

So it is likely that there will be no change in Korea in the near future. Perhaps we shall have to wait for a second-term President. But the paralysis of our policy in places like Korea, though it may sustain political interests at home, can also weaken our national interests abroad. Dean Rusk is reported recently to have said that we live in an era of diplomacy by boredom. For this, I suggest, we have ourselves partly to blame.

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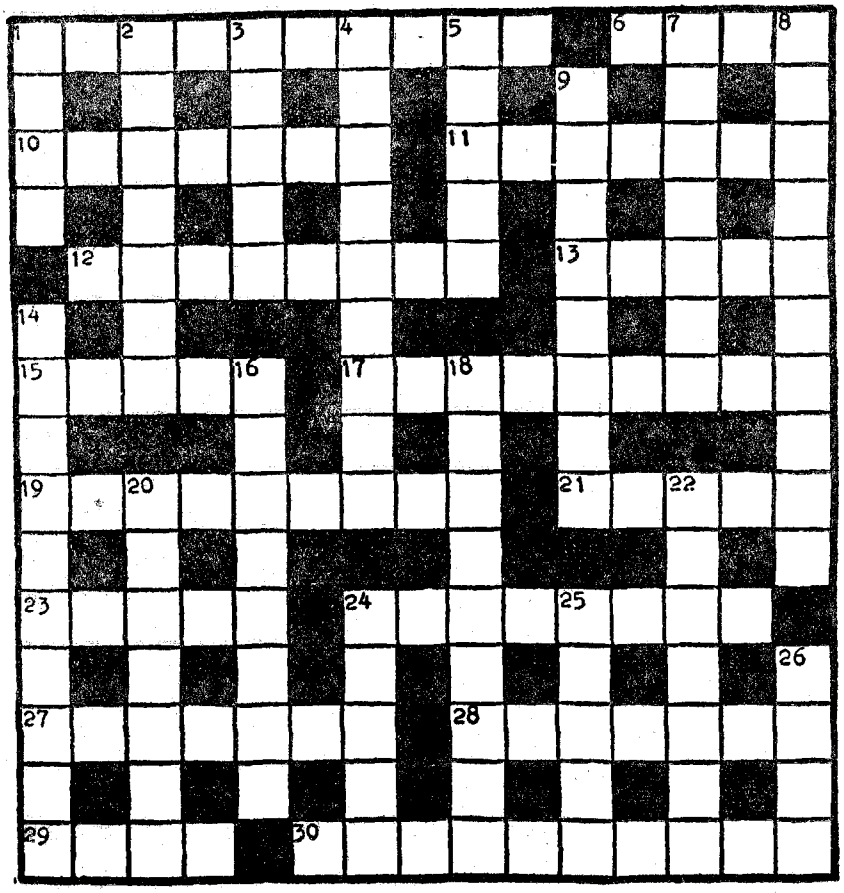

ACROSS:

1 Would this make us help Cuba? Only if mounted by a great one.
6 The charms of Africa that surround some Japanese. (4)
10 Once around and touch down in the country. (7)
11 and 14 down Cordial conversations, undoubtedly. (5-2-5, 5)
12 Hers is rather confused in just the sort of fiend who should be open-minded. (5, 3)
13 and 4 down Cover with a sticker the activity Brutus engaged in. (5, 3, 6)
15 Equivalent to what isn't found up the wrong color, that is. (5)
17 See 25 down
19 How to pay back ire rubs me the wrong way! (9)
21 In time, you'll find a little work encountered the wrong way. (5)
23 One might pick up the game, or at least the cards left over. (5)
24 Many nostalgic songs are sung about this old flame. (8)
27 Light circle on a vehicle for satire.
28 This gal lands the hard way! (7)
29 Strike on the foot? (4)
30 Not a more modest follow-up of the Saturday night bath — though it might lead to a hanging. (6, 4)

DOWN:

1 This head might separate quarters, but not in packages. (4)
2 Acted like a private eye on television — with a garnish, too. (7)
3 Makes a petition for commendation, by the sound of it. (5)
5 What might lead in a couple of pronouns? (5)
7 Promise to marry, and in France to be in the soup! (7)
8 Having sangfroid when others blush like the head of 9, perhaps. (5-5)
9 One finds time by taking his with a pocket type — so beware! (5, 3)
14 See 11 across
16 Evidently Mr. Hood mounts the stage with a Swiss group of novel background. (8)
18 Utopia? (9)
20 Such a wild claim is made relating to one religion. (7)
22 One might consider him a pro, having knocked so many out. (7)
24 No act of Marmion's makeup, for example. (5)
25 and 17 across Old coachmaker whose handiwork certainly didn't stand the test of time. (5, 9)
26 This author certainly can make money. (4)

SOLUTION TO PUZZLE NO. 1052

ACROSS: 1 Object lesson; 9 Diced beets; 10 Crew; 11 Agricola; 12 Agents; 13 Panic; 15 External; 16 Cherubim; 19 Comma; 21 Arthur; 22 Niceties; 24 Gala; 25 Optimistic; 26 Saskatchewan. DOWN: 2 Bring up the rear; 3 Etesian; 4 Taboo; 5 Elevate; 6 Systaltic; 7 Nuclear; 8 Central America; 14 Cube roots; 17 Reheats; 18 Minutia; 20 Matisse; 23 Comic.

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